

EXHIBIT B

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 JOSEPH PASQUARELLO,

PLAINTIFF,

-against-

Index No.:

21-CV-8732

6 CROTHALL HEALTHCARE, INC., and
7 MICHAEL ROCHE,

8 DEFENDANTS.

9
10 DATE: August 2, 2022

11 TIME: 10:00 a.m.

12
13
14 EXAMINATION BEFORE TRIAL of the
15 Defendant, CROTHALL HEALTHCARE, INC., by a
16 witness, CHRISTOPHER HARIGEL, taken by the
17 Plaintiff, pursuant to a Court Order, held
18 by videoconference, before LORI PICKMAN, a
19 Notary Public of the State of New York.
20
21
22
23
24
25

<p style="text-align: right;">Page 2</p> <p>1 2 APPEARANCES: 3 4 JOSEPH & KIRSCHENBAUM, LLP Attorneys for the Plaintiff 5 32 Broadway - Suite 601 New York, New York 10004 6 BY: LEAH SELIGER, ESQ. leah@jk-llp.com 7 8 9 LITTLER MENDELSON, P.C. Attorneys for the Defendants 900 Third Avenue 10 New York, New York 10022 BY: SHAWN MATTHEW CLARK, ESQ. 11 ALSO PRESENT: ZACK SHARPE, ESQ. smclark@littler.com 12 13 14 * * * 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 C. HARIGEL 2 CHRISTOPHER HARIGEL, 3 called as a witness, having been first duly 4 sworn by a Notary Public of the State of 5 New York, was examined and testified as 6 follows: 7 EXAMINATION BY 8 MS. SELIGER: 9 Q. Please state your name for the 10 record. 11 A. Christopher Harigel. 12 Q. What is your office address? 13 A. 126 East 56th Street, New York, 14 New York 10022. 15 Q. Hi, Chris. Do you go by Chris 16 or Christopher? 17 A. Chris is fine. 18 Q. Have you been deposed before? 19 A. Yes. 20 Q. When was that? 21 A. Probably close to sixteen years 22 ago, maybe seventeen, I can't remember 23 exactly, but it was quite awhile ago. 24 Q. I am going to go over the 25 basics. I am going to be asking you</p>
<p style="text-align: right;">Page 3</p> <p>1 2 FEDERAL STIPULATIONS 3 4 IT IS HEREBY STIPULATED AND AGREED by and between the counsel for the respective 5 parties herein that the sealing, filing and certification of the within deposition be 6 waived; that the original of the deposition may be signed and sworn to by the witness 7 before anyone authorized to administer an oath, with the same effect as if signed 8 before a Judge of the Court; that an unsigned copy of the deposition may be used 9 with the same force and effect as if signed by the witness, 30 days after service of 10 the original & 1 copy of same upon counsel for the witness. 11 12 IT IS FURTHER STIPULATED AND AGREED that all objections except as to form, are reserved to the time of trial. 13 14 * * * * 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 5</p> <p>1 C. HARIGEL 2 a number of questions today. Lori, the 3 court reporter, will take down everything 4 we say. Because she's transcribing this, 5 it is important that you give verbal 6 responses to all my questions. The court 7 reporter cannot record nods or gestures. 8 Do you understand that? 9 A. Yes, I do. 10 Q. The court reporter has sworn 11 you in and you are answering all questions 12 under oath today. 13 Do you understand that you 14 have the same obligation to tell the truth 15 and are subject to the same penalties for 16 perjury as if you were testifying in court? 17 A. Yes, I do. 18 Q. If you don't understand a 19 question that I have asked, please let 20 me know and I will rephrase it. If you 21 answer the question, I will assume that 22 you understood it. 23 Do you understand that? 24 A. Yes, I do. 25 Q. Let me finish asking my</p>

<p style="text-align: right;">Page 6</p> <p>1 C. HARIGEL</p> <p>2 question before you start to answer it,</p> <p>3 even if you anticipate what I'm asking.</p> <p>4 This way the court reporter can get both</p> <p>5 of our statements down and there's no</p> <p>6 confusion.</p> <p>7 Does that make sense?</p> <p>8 A. Yes.</p> <p>9 Q. If you need a break at</p> <p>10 anytime, just let us know and we will try</p> <p>11 to accommodate you. I would just ask that</p> <p>12 if a question is pending, that you answer</p> <p>13 the question first and then we'll take a</p> <p>14 break.</p> <p>15 Does that make sense?</p> <p>16 A. Yes.</p> <p>17 Q. Also, you can talk to your</p> <p>18 lawyer before a question is asked and after</p> <p>19 you have answered a question, but while a</p> <p>20 question is pending, you must answer the</p> <p>21 question first and then have that</p> <p>22 conversation.</p> <p>23 Do you understand?</p> <p>24 A. Yes.</p> <p>25 Q. During the deposition,</p>	<p style="text-align: right;">Page 8</p> <p>1 C. HARIGEL</p> <p>2 Q. During the deposition, I am</p> <p>3 going to be referring to Joe Pasquarello</p> <p>4 as plaintiff or Mr. Pasquarello or Joe.</p> <p>5 If at anytime you are not clear who I</p> <p>6 am referring to, please ask me.</p> <p>7 Do you have any documents with</p> <p>8 you today at the deposition, other than the</p> <p>9 exhibits that I have sent?</p> <p>10 A. No. And I don't have those</p> <p>11 available to me now.</p> <p>12 MS. SELIGER: Are you able to</p> <p>13 forward those to Chris just in case</p> <p>14 it is hard to see when I share my</p> <p>15 screen?</p> <p>16 MR. CLARK: I did forward them</p> <p>17 to him. I suspect he does not have</p> <p>18 them open on his computer at the</p> <p>19 moment. If you want him to do that,</p> <p>20 he can open them now or he can open</p> <p>21 them one at a time. He does have</p> <p>22 them, he probably doesn't have</p> <p>23 them open at the moment.</p> <p>24 Q. Chris, did you go to college?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 7</p> <p>1 C. HARIGEL</p> <p>2 your attorney may object to my questions.</p> <p>3 However, unless he specifically instructs</p> <p>4 you not to answer, you must answer the</p> <p>5 question even after he objects.</p> <p>6 Do you understand that?</p> <p>7 A. Yes.</p> <p>8 Q. Are you currently taking any</p> <p>9 medications that may impair your ability</p> <p>10 to testify truthfully today?</p> <p>11 A. No.</p> <p>12 Q. Is there any other reason why</p> <p>13 you may not be able to testify truthfully</p> <p>14 today?</p> <p>15 A. No.</p> <p>16 Q. Have you ever been a party to a</p> <p>17 lawsuit?</p> <p>18 A. Not to my knowledge, no.</p> <p>19 Q. Without revealing any</p> <p>20 attorney/client communications, what,</p> <p>21 if anything, did you do to prepare for</p> <p>22 this deposition?</p> <p>23 A. I met with my lawyers.</p> <p>24 Q. Did you review any documents?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 9</p> <p>1 C. HARIGEL</p> <p>2 Q. What did you study in college?</p> <p>3 A. Mechanical engineering.</p> <p>4 Q. Do you have any advanced</p> <p>5 degrees?</p> <p>6 A. I have a Bachelors of</p> <p>7 engineering degree.</p> <p>8 Q. Do you have any fire safety</p> <p>9 training?</p> <p>10 A. Yes.</p> <p>11 Q. What is that?</p> <p>12 A. I attended several NFPA</p> <p>13 sessions.</p> <p>14 Q. What is your current age?</p> <p>15 A. I'm fifty years old.</p> <p>16 Q. When did you begin working for</p> <p>17 Crothall?</p> <p>18 A. December of 2000.</p> <p>19 Q. What is your current job title?</p> <p>20 A. Regional vice president.</p> <p>21 Q. For how long have you had that</p> <p>22 position?</p> <p>23 A. Approximately two years.</p> <p>24 Q. What was your previous</p> <p>25 position?</p>

3 (Pages 6 - 9)

<p style="text-align: right;">Page 10</p> <p>1 C. HARIGEL</p> <p>2 MR. CLARK: Objection to the</p> <p>3 form.</p> <p>4 Q. What was your position prior to</p> <p>5 the position you have now?</p> <p>6 A. I was the vice president of</p> <p>7 operations.</p> <p>8 Q. What are your current main job</p> <p>9 responsibilities?</p> <p>10 A. I oversee our facilities</p> <p>11 management services at the Mount Sinai</p> <p>12 Health System in New York City. I also</p> <p>13 oversee our medical gas division and I</p> <p>14 oversee our project and energy services</p> <p>15 group.</p> <p>16 Q. In your prior position, what</p> <p>17 were your main job responsibilities?</p> <p>18 MR. CLARK: Objection to the</p> <p>19 form. You can answer.</p> <p>20 A. If you are referring to when I</p> <p>21 was vice president of operations, it was</p> <p>22 mainly the Mount Sinai Health System.</p> <p>23 Q. How many employees do you</p> <p>24 currently supervise?</p> <p>25 A. Can you clarify that to be</p>	<p style="text-align: right;">Page 12</p> <p>1 C. HARIGEL</p> <p>2 some the team.</p> <p>3 Q. Who are the eight employees</p> <p>4 that currently are your direct reports?</p> <p>5 A. Michael Roche, Dorothy Perez,</p> <p>6 John Barton, Jason Kerley, Tom Sevcik,</p> <p>7 Hashim Khan, Robert Ross. Did I say Bob</p> <p>8 Shaffer? And Bob Shaffer. Those are all</p> <p>9 eight of them.</p> <p>10 Q. In your prior role, I'm</p> <p>11 forgetting the title, but in your prior</p> <p>12 role to the one you have now, how many</p> <p>13 direct reports did you have?</p> <p>14 A. It would have been similar.</p> <p>15 Probably not having Hashim Khan at the</p> <p>16 time.</p> <p>17 Q. Do you write performance</p> <p>18 reviews for your direct reports?</p> <p>19 A. I do.</p> <p>20 Q. Do you write performance</p> <p>21 reviews for anyone other than your</p> <p>22 direct reports?</p> <p>23 A. I do not.</p> <p>24 Q. Where is your office located?</p> <p>25 A. 126 East 56th Street in</p>
<p style="text-align: right;">Page 11</p> <p>1 C. HARIGEL</p> <p>2 directly supervise or under my team?</p> <p>3 Q. Let's start with how many</p> <p>4 employees do you directly supervise?</p> <p>5 A. Approximately eight.</p> <p>6 Q. Do you determine their</p> <p>7 compensation?</p> <p>8 A. No.</p> <p>9 Q. Do you determine whether they</p> <p>10 get bonuses?</p> <p>11 A. Can you clarify that question,</p> <p>12 please?</p> <p>13 Q. Do you make decisions about</p> <p>14 whether an employee will receive their</p> <p>15 annual bonus, if they're eligible?</p> <p>16 A. There is a process that is</p> <p>17 filled out with credentials and items that</p> <p>18 have to be hit per the plan, so the plan is</p> <p>19 filled out and then submitted. So it's all</p> <p>20 spelled out and the employees sign off on</p> <p>21 the elements of their plan.</p> <p>22 Q. Is their bonus dependent on</p> <p>23 their own performance or something else?</p> <p>24 A. It is a composite of several</p> <p>25 different items, some performance and</p>	<p style="text-align: right;">Page 13</p> <p>1 C. HARIGEL</p> <p>2 Manhattan, New York.</p> <p>3 Q. Is that the same building where</p> <p>4 Mike Roche is based?</p> <p>5 A. No, it is not.</p> <p>6 Q. Who do you report to?</p> <p>7 A. I report to Bruce Bashwiner.</p> <p>8 Q. I'm going to ask you to</p> <p>9 help me understand something. I understand</p> <p>10 that there is a main Mount Sinai Hospital</p> <p>11 campus, and I will give you a chance to</p> <p>12 correct me if I mischaracterize any of</p> <p>13 this, and there is also a Mount Sinai Beth</p> <p>14 Israel, a Mount Sinai Queens, Mount Sinai</p> <p>15 Brooklyn.</p> <p>16 Does each hospital campus have</p> <p>17 a separate facilities team?</p> <p>18 A. Yes.</p> <p>19 Q. Are all the Mount Sinai</p> <p>20 Hospital campuses managed by Crothall?</p> <p>21 A. No.</p> <p>22 Q. Which are the campuses managed</p> <p>23 by Crothall?</p> <p>24 A. You have Mount Sinai Hospital</p> <p>25 which is on the east side, 99th Street,</p>

4 (Pages 10 - 13)

<p style="text-align: right;">Page 14</p> <p>1 C. HARIGEL</p> <p>2 which you referred to as main; there is</p> <p>3 Mount Sinai Morningside; Mount Sinai West;</p> <p>4 Mount Sinai BI; Mount Sinai New York Eye</p> <p>5 & Ear; Mount Sinai Downtown Union Square;</p> <p>6 Mount Sinai Chelsea; Mount Sinai Queens;</p> <p>7 and Mount Sinai Brooklyn.</p> <p>8 Q. In your current role, do you</p> <p>9 oversee the facilities management in all</p> <p>10 of those campuses?</p> <p>11 A. Indirectly they all roll up</p> <p>12 under me, yes.</p> <p>13 Q. How many buildings comprise the</p> <p>14 Mount Sinai Hospital main campus?</p> <p>15 A. Approximately fourteen.</p> <p>16 Q. How many buildings are in the</p> <p>17 Mount Sinai Beth Israel campus?</p> <p>18 A. It varies. That campus is in</p> <p>19 transition. Somewhere between seven and</p> <p>20 nine at any given time.</p> <p>21 Q. How many buildings are part of</p> <p>22 the Mount Sinai Queens campus?</p> <p>23 A. Again, there are several</p> <p>24 satellite facilities, but on the main</p> <p>25 campus for Queens there are two main</p>	<p style="text-align: right;">Page 16</p> <p>1 C. HARIGEL</p> <p>2 campus.</p> <p>3 A. Yes, ma'am.</p> <p>4 Q. Were you Joe Pasquarello's</p> <p>5 supervisor when he worked at Crothall?</p> <p>6 A. Not his direct supervisor, no.</p> <p>7 Q. Who was his direct supervisor?</p> <p>8 A. Mike Roche.</p> <p>9 Q. Did Mike Roche report to you at</p> <p>10 the time?</p> <p>11 A. Yes, he did.</p> <p>12 Q. As far as you know, when did</p> <p>13 Joe Pasquarello work for Crothall?</p> <p>14 A. He came in in the fall or</p> <p>15 winter of 2019 and he left similarly</p> <p>16 September-ish of 2021.</p> <p>17 Q. What was his title?</p> <p>18 A. He was the assistant director</p> <p>19 of fire safety.</p> <p>20 Q. When Joe Pasquarello worked at</p> <p>21 Crothall, how often did you see him in</p> <p>22 person per month let's say?</p> <p>23 A. Probably not per month. Maybe</p> <p>24 every other month or quarterly, at least</p> <p>25 quarterly, but probably not every month.</p>
<p style="text-align: right;">Page 15</p> <p>1 C. HARIGEL</p> <p>2 buildings.</p> <p>3 Q. How many buildings are in the</p> <p>4 Mount Sinai Brooklyn campus?</p> <p>5 A. Two main facilities.</p> <p>6 Q. I will ask one last one, how</p> <p>7 many buildings comprise the Mount Sinai</p> <p>8 Morningside campus?</p> <p>9 A. Approximately six to eight.</p> <p>10 Q. Which of these hospital</p> <p>11 campuses did Joe Pasquarello work</p> <p>12 in when he was at Crothall?</p> <p>13 A. He worked at Mount Sinai</p> <p>14 Hospital on 99th Street.</p> <p>15 Q. Is that what we were referring</p> <p>16 to as the main campus?</p> <p>17 A. Correct. We don't call it main</p> <p>18 campus, but most people know when they call</p> <p>19 it main campus, they're talking about Mount</p> <p>20 Sinai Hospital.</p> <p>21 Q. How does Crothall refer to it,</p> <p>22 so I use the right name?</p> <p>23 A. Mount Sinai Hospital.</p> <p>24 Q. If I say Mount Sinai Hospital,</p> <p>25 I will be referring to that system or that</p>	<p style="text-align: right;">Page 17</p> <p>1 C. HARIGEL</p> <p>2 Q. Where would that be?</p> <p>3 A. Either during a site visit to</p> <p>4 Mount Sinai Hospital or during sessions</p> <p>5 that were conducted at my office.</p> <p>6 Q. How often would you say you</p> <p>7 spoke to him by phone, let's use a month</p> <p>8 again?</p> <p>9 A. Rarely by phone.</p> <p>10 Q. How often would you say you</p> <p>11 emailed with him each month?</p> <p>12 A. Once a month would be a lot.</p> <p>13 if there was something I wanted to get</p> <p>14 clarification from him on, I would email</p> <p>15 him directly, but it wouldn't be on a</p> <p>16 monthly basis.</p> <p>17 Q. Based on your interactions with</p> <p>18 Joe or your knowledge of his work, were you</p> <p>19 aware that Joe updated the hospital's New</p> <p>20 Beginnings fire safety presentation for all</p> <p>21 Mount Sinai employees?</p> <p>22 MR. CLARK: Objection to the</p> <p>23 form. You can answer.</p> <p>24 A. I believe I was aware he was</p> <p>25 working on updating those documents, yes.</p>

5 (Pages 14 - 17)

<p style="text-align: right;">Page 18</p> <p>1 C. HARIGEL</p> <p>2 Q. Were you aware that he</p> <p>3 updated the annual computer base training</p> <p>4 presentation used to train Mount Sinai</p> <p>5 Hospital staff?</p> <p>6 MR. CLARK: Objection to the</p> <p>7 form. You can answer.</p> <p>8 A. I'm not sure if I recall him</p> <p>9 updating that one, I don't remember.</p> <p>10 Q. Were you aware that he updated</p> <p>11 and developed new policies and procedures</p> <p>12 for the Mount Sinai Hospital fire safety</p> <p>13 department?</p> <p>14 MR. CLARK: Objection to the</p> <p>15 form. You can answer.</p> <p>16 A. Yes, I was aware he was working</p> <p>17 on updating some of the forms, yes.</p> <p>18 Q. Were you aware that he updated</p> <p>19 all the training programs for the operating</p> <p>20 room, MRI, NICU and pediatric areas?</p> <p>21 MR. CLARK: Objection to the</p> <p>22 form. You can answer.</p> <p>23 A. No, I was not aware of that.</p> <p>24 Q. Were you aware that he</p> <p>25 conducted negotiations with the fire</p>	<p style="text-align: right;">Page 20</p> <p>1 C. HARIGEL</p> <p>2 You can answer.</p> <p>3 A. Yes.</p> <p>4 Q. Were you aware that he updated</p> <p>5 fire marshal scheduling to reduce overtime</p> <p>6 and increase coverage?</p> <p>7 MR. CLARK: Objection to the</p> <p>8 form. You can answer.</p> <p>9 A. I'm not sure that addressed all</p> <p>10 the items you referred to, but I know the</p> <p>11 schedule was updated, yes.</p> <p>12 Q. Do you know that Joe updated</p> <p>13 the schedule?</p> <p>14 MR. CLARK: Objection to the</p> <p>15 form. You can answer.</p> <p>16 A. Yes, I know the schedule was</p> <p>17 changed during Joe's time there, yes.</p> <p>18 Q. Were you aware that Joe</p> <p>19 developed a training guide for the fire</p> <p>20 marshals and a way to track their training?</p> <p>21 MR. CLARK: Objection to the</p> <p>22 form. You can answer.</p> <p>23 A. I don't believe I knew that was</p> <p>24 done, no.</p> <p>25 Q. Were you aware that he</p>
<p style="text-align: right;">Page 19</p> <p>1 C. HARIGEL</p> <p>2 marshals' union?</p> <p>3 MR. CLARK: Objection to the</p> <p>4 form. You can answer.</p> <p>5 A. Yes.</p> <p>6 Q. Were you aware that he trained</p> <p>7 and handled disciplinary matters for the</p> <p>8 fire marshals on his campus, on the Mount</p> <p>9 Sinai Hospital campus?</p> <p>10 MR. CLARK: Objection to the</p> <p>11 form. You can answer.</p> <p>12 A. Can you clarify the</p> <p>13 disciplinary piece, please?</p> <p>14 Q. He was able to identify</p> <p>15 low-performing fire marshals and counsel</p> <p>16 them, if necessary, or terminate, if</p> <p>17 necessary?</p> <p>18 MR. CLARK: Objection to the</p> <p>19 form. You can answer.</p> <p>20 A. We don't terminate Mount Sinai</p> <p>21 employees. Their labor relations</p> <p>22 department handles that.</p> <p>23 Q. Were you aware that he trained</p> <p>24 the fire marshals at Mount Sinai Hospital?</p> <p>25 MR. CLARK: Objection to form.</p>	<p style="text-align: right;">Page 21</p> <p>1 C. HARIGEL</p> <p>2 developed shift reports for the fire</p> <p>3 marshals that allowed managers and other</p> <p>4 fire marshals to know what happened on any</p> <p>5 given shift and this had not existed when</p> <p>6 he arrived?</p> <p>7 MR. CLARK: Same objection.</p> <p>8 You can answer.</p> <p>9 A. I know there were some changes</p> <p>10 to it. I wouldn't say it didn't exist</p> <p>11 before where the shift didn't know what</p> <p>12 the prior shift did. I knew there were</p> <p>13 some changes to it under Joe, yes.</p> <p>14 Q. Were you aware that he created</p> <p>15 a process of tracking the fire marshals'</p> <p>16 certificates of fitness?</p> <p>17 MR. CLARK: Objection to the</p> <p>18 form. You can answer.</p> <p>19 A. That I was not aware of, but we</p> <p>20 did track that in the past.</p> <p>21 Q. Were you aware that when Joe</p> <p>22 arrived, there were over five hundred open</p> <p>23 work orders that were over sixty days old?</p> <p>24 MR. CLARK: Objection to the</p> <p>25 form. You can answer.</p>

6 (Pages 18 - 21)

<p style="text-align: right;">Page 22</p> <p>1 C. HARIGEL</p> <p>2 A. I don't know the exact number,</p> <p>3 no.</p> <p>4 Q. Were you aware that there were</p> <p>5 a significant number of open work orders</p> <p>6 that were overdue?</p> <p>7 MR. CLARK: Objection to the</p> <p>8 form. You can answer.</p> <p>9 A. Overdue is a difficult thing</p> <p>10 to discuss. I know there were numerous</p> <p>11 work orders. We handle tens of thousands</p> <p>12 of requests, so that number is not</p> <p>13 something that is out of category</p> <p>14 for what his area would cover.</p> <p>15 Q. I will rephrase.</p> <p>16 Were you aware that there were</p> <p>17 a significant number of open work orders</p> <p>18 that were over sixty days old when he</p> <p>19 started his position?</p> <p>20 MR. CLARK: Objection to the</p> <p>21 form. You can answer.</p> <p>22 A. Yes, I believe I saw that</p> <p>23 documented.</p> <p>24 Q. Were you aware that when Joe</p> <p>25 left in September of 2021, all of those</p>	<p style="text-align: right;">Page 24</p> <p>1 C. HARIGEL</p> <p>2 A. I wouldn't know the exact</p> <p>3 number, but it sounds reasonable.</p> <p>4 Q. Were you aware that Joe</p> <p>5 Pasquarello was involved in saving the</p> <p>6 hospital from a fire on January 28, 2021?</p> <p>7 MR. CLARK: Objection to the</p> <p>8 form. You can answer.</p> <p>9 A. Can you clarify the question,</p> <p>10 saving the hospital?</p> <p>11 Q. He was involved in</p> <p>12 extinguishing the fire that occurred</p> <p>13 on January 28th of 2021.</p> <p>14 MR. CLARK: Objection to the</p> <p>15 form. You can answer.</p> <p>16 A. I'm aware he was involved in</p> <p>17 the fire incident that occurred on that</p> <p>18 date, yes.</p> <p>19 Q. What is your awareness of his</p> <p>20 involvement?</p> <p>21 A. Can you clarify that?</p> <p>22 Q. Do you know what he did when</p> <p>23 the fire occurred?</p> <p>24 A. Yes. He is part of a response</p> <p>25 team that responded to the scene and took</p>
<p style="text-align: right;">Page 23</p> <p>1 C. HARIGEL</p> <p>2 work orders had been closed?</p> <p>3 MR. CLARK: Objection to the</p> <p>4 form. You can answer.</p> <p>5 A. I believe I saw that noted</p> <p>6 someplace as well, yes.</p> <p>7 Q. Were you aware that Joe</p> <p>8 identified testing that had not been</p> <p>9 addressed prior to his arrival and he</p> <p>10 was able to get that safety testing</p> <p>11 done during his tenure?</p> <p>12 MR. CLARK: Objection to the</p> <p>13 form. You can answer.</p> <p>14 A. No, I'm not aware of that.</p> <p>15 Q. Were you aware that Joe</p> <p>16 Pasquarello revised the hospital's</p> <p>17 outdated fire safety inventories?</p> <p>18 MR. CLARK: Objection to the</p> <p>19 form. You can answer.</p> <p>20 A. No.</p> <p>21 Q. Were you aware that Joe</p> <p>22 Pasquarello managed over a thousand</p> <p>23 fire safety impairments in 2021?</p> <p>24 MR. CLARK: Objection to the</p> <p>25 form. You can answer.</p>	<p style="text-align: right;">Page 25</p> <p>1 C. HARIGEL</p> <p>2 action to extinguish the fire ahead of the</p> <p>3 Fire Department responding.</p> <p>4 Q. Were you aware that he was</p> <p>5 subsequently hospitalized for smoke</p> <p>6 inhalation after that fire?</p> <p>7 MR. CLARK: Objection to the</p> <p>8 form. You can answer.</p> <p>9 A. I am aware that he visited the</p> <p>10 ED, I'm not aware of what it was for.</p> <p>11 MS. SELIGER: Mark this as</p> <p>12 Plaintiff's Exhibit 1.</p> <p>13 (Whereupon, the aforementioned</p> <p>14 Complaint was marked as Plaintiff's</p> <p>15 Exhibit 1 for identification as of</p> <p>16 this date by the Reporter.)</p> <p>17 Q. Have you seen this document</p> <p>18 before?</p> <p>19 A. I've seen this cover page, yes.</p> <p>20 Q. Have you seen the rest of the</p> <p>21 document? This is the Complaint that was</p> <p>22 filed in Joe Pasquarello's action against</p> <p>23 Crothall and Michael Roche.</p> <p>24 A. I'm seeing page 1 of 32,</p> <p>25 meaning there are 31 pages I don't</p>

7 (Pages 22 - 25)

<p style="text-align: right;">Page 26</p> <p>1 C. HARIGEL</p> <p>2 see. I would assume that is the document</p> <p>3 I have seen, but I cannot testify that</p> <p>4 I know every single page that you have</p> <p>5 there.</p> <p>6 Q. Take a minute and look on your</p> <p>7 screen and verify this is the Complaint.</p> <p>8 Can you let me know whether you</p> <p>9 have seen it before or not?</p> <p>10 A. On the quick review I just</p> <p>11 conducted, it appears to be the same</p> <p>12 document that I received, yes.</p> <p>13 Q. Have you read it in the past?</p> <p>14 Not just now, but prior to today, have you</p> <p>15 read through this Complaint?</p> <p>16 A. Yes, I have.</p> <p>17 Q. When was the first time you saw</p> <p>18 this Complaint?</p> <p>19 A. I don't recall exactly, but I</p> <p>20 received it -- I was served it.</p> <p>21 Q. By whom?</p> <p>22 A. I don't remember who served me.</p> <p>23 It was in my office.</p> <p>24 Q. Do you recall when you learned</p> <p>25 about this lawsuit?</p>	<p style="text-align: right;">Page 28</p> <p>1 C. HARIGEL</p> <p>2 form. You can answer.</p> <p>3 A. He assists the fire safety at</p> <p>4 each location in the Mount Sinai Health</p> <p>5 System.</p> <p>6 Q. In what ways does he assist</p> <p>7 fire safety in each location?</p> <p>8 A. He reviews their progress on</p> <p>9 required inspection testing and maintenance</p> <p>10 and adherence to our Crothall programs.</p> <p>11 Q. Does he conduct audits of the</p> <p>12 various facilities?</p> <p>13 A. From a fire safety standpoint,</p> <p>14 yes.</p> <p>15 Q. Are the bonuses for fire safety</p> <p>16 employees dependent on the outcome of Bob</p> <p>17 Shaffer's audits?</p> <p>18 A. It is a small component of it,</p> <p>19 yes.</p> <p>20 Q. What are the other components</p> <p>21 to them earning their bonuses?</p> <p>22 A. There's a full audit which is</p> <p>23 the full program, which fire safety is a</p> <p>24 subset of a subset.</p> <p>25 Q. So passing the fuller program</p>
<p style="text-align: right;">Page 27</p> <p>1 C. HARIGEL</p> <p>2 A. It would have been around the</p> <p>3 same time I received the service.</p> <p>4 Q. Do you recall if it was before</p> <p>5 or after Joe Pasquarello left Crothall?</p> <p>6 A. Before.</p> <p>7 Q. Do you know who Bob Shaffer is?</p> <p>8 A. Yes.</p> <p>9 Q. I think you mentioned earlier</p> <p>10 he is one of your direct reports; is that</p> <p>11 correct?</p> <p>12 A. Yes.</p> <p>13 Q. What is his current title?</p> <p>14 A. System director of fire safety.</p> <p>15 Q. How long has he had that title?</p> <p>16 A. Approximately seven years.</p> <p>17 Q. How often do you interact with</p> <p>18 him in any given month?</p> <p>19 A. A few times a month.</p> <p>20 Q. Is that inconclusive of phone,</p> <p>21 email, in-person interactions?</p> <p>22 A. Yes.</p> <p>23 Q. What are his main</p> <p>24 responsibilities?</p> <p>25 MR. CLARK: Objection to the</p>	<p style="text-align: right;">Page 29</p> <p>1 C. HARIGEL</p> <p>2 would also influence whether fire safety</p> <p>3 employees receive their bonuses?</p> <p>4 A. It's not a pass. They are</p> <p>5 graded and the grade puts it in a range,</p> <p>6 yes.</p> <p>7 Q. Is each individual employee</p> <p>8 graded or is it done by department?</p> <p>9 A. The audit is the department as</p> <p>10 a whole.</p> <p>11 Q. Can you tell me, what is the</p> <p>12 Joint Commission audit?</p> <p>13 A. Can you clarify the question,</p> <p>14 please?</p> <p>15 Q. Are you familiar with, I don't</p> <p>16 know if I'm using the right word, audit or</p> <p>17 survey done by the Joint Commission?</p> <p>18 A. Correct. If you are referring</p> <p>19 to the tri-annual survey conducted by the</p> <p>20 Joint Commission, I am familiar.</p> <p>21 Q. Can you tell me what that is?</p> <p>22 A. Yes.</p> <p>23 Q. You said it was tri-annual.</p> <p>24 Does that mean it occurs every three years?</p> <p>25 A. Yes, usually.</p>

8 (Pages 26 - 29)

<p style="text-align: right;">Page 30</p> <p>1 C. HARIGEL</p> <p>2 Q. Why only usually?</p> <p>3 A. They can come more frequently</p> <p>4 if issues are identified.</p> <p>5 Q. What is the Joint Commission</p> <p>6 looking for in their survey?</p> <p>7 MR. CLARK: Objection to the</p> <p>8 form. You can answer.</p> <p>9 A. There are thousands of</p> <p>10 items that the Joint Commission is</p> <p>11 looking for during their survey;</p> <p>12 it is a multidisciplinary team.</p> <p>13 Q. Which disciplines does it</p> <p>14 involve?</p> <p>15 A. Everything in the entire</p> <p>16 hospital.</p> <p>17 Q. Related to the facilities</p> <p>18 maintenance?</p> <p>19 A. No. Related to the hospital</p> <p>20 operation.</p> <p>21 Q. Can you be more specific?</p> <p>22 A. The Joint Commission is the</p> <p>23 deeming agency for the centers for Medicaid</p> <p>24 and Medicare services, validating that the</p> <p>25 hospital is operating within their</p>	<p style="text-align: right;">Page 32</p> <p>1 C. HARIGEL</p> <p>2 Q. Is becoming accredited an</p> <p>3 important objective for Mount Sinai</p> <p>4 Hospital?</p> <p>5 MR. CLARK: Objection to the</p> <p>6 form.</p> <p>7 A. Yes.</p> <p>8 Q. Why is that?</p> <p>9 MR. CLARK: Objection to the</p> <p>10 form.</p> <p>11 A. You have to be accredited to</p> <p>12 participate in CMS funding.</p> <p>13 Q. What is CMS funding?</p> <p>14 A. It's how hospitals can bill</p> <p>15 back Medicaid and Medicare for services.</p> <p>16 Q. If they don't have access to</p> <p>17 that funding, then they cannot bill back</p> <p>18 for those services?</p> <p>19 MR. CLARK: Objection to the</p> <p>20 form.</p> <p>21 A. It's not an area I deal with,</p> <p>22 so I wouldn't be able to answer.</p> <p>23 Q. What percentage of the Joint</p> <p>24 Commission survey involves fire safety</p> <p>25 items?</p>
<p style="text-align: right;">Page 31</p> <p>1 C. HARIGEL</p> <p>2 standards.</p> <p>3 Q. Is there some sort of guide</p> <p>4 that allows facilities to know what the</p> <p>5 Joint Commission is going to scrutinize</p> <p>6 or survey?</p> <p>7 A. Can you clarify facilities,</p> <p>8 please?</p> <p>9 Q. Is there a guide that allows</p> <p>10 Mount Sinai Hospital to know in advance</p> <p>11 what the Joint Commission will be</p> <p>12 surveying?</p> <p>13 A. Yes.</p> <p>14 Q. Based on what you just said</p> <p>15 about the Joint Commission, does passing</p> <p>16 the Joint Commission allow the hospital</p> <p>17 to access certain funding?</p> <p>18 A. There is no passing. There's</p> <p>19 either accredited or nonaccredited.</p> <p>20 Q. If a hospital does not get</p> <p>21 accredited after a Joint Commission survey,</p> <p>22 what is the consequence?</p> <p>23 A. Numerous. It could involve</p> <p>24 financial issues as well, but that's not</p> <p>25 something I deal with.</p>	<p style="text-align: right;">Page 33</p> <p>1 C. HARIGEL</p> <p>2 A. I would be hard-pressed to give</p> <p>3 an exact answer, but maybe five percent on</p> <p>4 less.</p> <p>5 Q. What are you basing that answer</p> <p>6 on?</p> <p>7 A. The Joint Commission Hospital</p> <p>8 Accreditation Program manual.</p> <p>9 Q. Do you have that manual in your</p> <p>10 position?</p> <p>11 A. I have access to it, yes.</p> <p>12 Q. Where would that be?</p> <p>13 A. I access it online, on the</p> <p>14 Joint Commission website.</p> <p>15 Q. Is it true that preparing for</p> <p>16 the Joint Commission survey generates a</p> <p>17 significant amount of work for the</p> <p>18 facilities teams?</p> <p>19 MR. CLARK: Objection to the</p> <p>20 form. You can answer.</p> <p>21 A. Yes, typically.</p> <p>22 Q. Why is that?</p> <p>23 A. Because outside of our</p> <p>24 department, other departments request</p> <p>25 numerous work of the department as they</p>

<p style="text-align: right;">Page 34</p> <p>1 C. HARIGEL</p> <p>2 are prepping as well.</p> <p>3 Q. Can you clarify? I'm not sure</p> <p>4 what you mean by our department and other</p> <p>5 departments.</p> <p>6 A. We run the facilities</p> <p>7 management department in the hospital.</p> <p>8 Every other department in the hospital can</p> <p>9 request work orders from our department.</p> <p>10 As they prep for Joint Commission as</p> <p>11 well, because they are surveyed, they</p> <p>12 will request work of us which increases</p> <p>13 our workload.</p> <p>14 Q. What would show up as a problem</p> <p>15 for the hospital during a Joint Commission</p> <p>16 survey, for example?</p> <p>17 MR. CLARK: Objection to the</p> <p>18 form.</p> <p>19 A. I could give you one of</p> <p>20 ten thousand examples. The hospital is</p> <p>21 inspected for numerous man days or surveyor</p> <p>22 days and they have a manual -- they have</p> <p>23 several items that can be cited in all</p> <p>24 different disciplines inside the hospital.</p> <p>25 Q. Is the Joint Commission survey</p>	<p style="text-align: right;">Page 36</p> <p>1 C. HARIGEL</p> <p>2 management in the Mount Sinai Health</p> <p>3 System, we rely heavily on our Team Doc</p> <p>4 program to store our regulatory compliance</p> <p>5 documents.</p> <p>6 Q. After the Joint Commission</p> <p>7 audit is complete, do you continue to</p> <p>8 store those documents?</p> <p>9 A. Yes.</p> <p>10 MS. SELIGER: We have called</p> <p>11 for the production of those documents</p> <p>12 numerous times. I'm going to</p> <p>13 call for the production of those</p> <p>14 documents, the ones that were</p> <p>15 submitted to the Joint Commission.</p> <p>16 MR. CLARK: I don't know</p> <p>17 that you have called for production</p> <p>18 of them. You will have to be more</p> <p>19 specific than just the documents</p> <p>20 that were submitted. They are</p> <p>21 never submitted, they are reviewed</p> <p>22 and there are thousands. You will</p> <p>23 have to be more specific. We can</p> <p>24 do it offline, we don't have to do</p> <p>25 it on the record, but you will need</p>
<p style="text-align: right;">Page 35</p> <p>1 C. HARIGEL</p> <p>2 a physical inspection of the facilities</p> <p>3 or is it an inspection of documents?</p> <p>4 A. Both.</p> <p>5 Q. Which documents does Crothall</p> <p>6 present to the Joint Commission as part of</p> <p>7 the survey?</p> <p>8 A. Can you clarify Crothall?</p> <p>9 Q. The Crothall facilities team,</p> <p>10 what documents do they present as part of</p> <p>11 the document survey?</p> <p>12 A. There are numerous documents</p> <p>13 in the field of utilities, fire safety and</p> <p>14 operations that are presented to the Joint</p> <p>15 Commission during the survey.</p> <p>16 Q. Are those physical documents or</p> <p>17 are those documents that are stored online?</p> <p>18 A. A combination of both.</p> <p>19 Q. Where do those documents exist</p> <p>20 right now?</p> <p>21 A. You would have to clarify which</p> <p>22 documents you are referring to.</p> <p>23 Q. Where do the online documents</p> <p>24 get stored?</p> <p>25 A. For Crothall facilities</p>	<p style="text-align: right;">Page 37</p> <p>1 C. HARIGEL</p> <p>2 to be more specific as to what</p> <p>3 specific documents you are looking</p> <p>4 for as opposed to just every document</p> <p>5 in a database.</p> <p>6 MS. SELIGER: We can go back to</p> <p>7 the document requests and we can do</p> <p>8 that offline.</p> <p>9 Q. You said there were physical</p> <p>10 documents as well.</p> <p>11 Just regarding fire safety at</p> <p>12 Mount Sinai Hospital, where are those</p> <p>13 documents stored?</p> <p>14 A. We have both the physical</p> <p>15 documents and the electronic storage</p> <p>16 documents. We use the electronic storage</p> <p>17 program, but we have both.</p> <p>18 Q. The physical documents are</p> <p>19 duplicates of what is stored online?</p> <p>20 A. The online are duplicates of</p> <p>21 the physical documents.</p> <p>22 Q. When was the last Joint</p> <p>23 Commission audit of Mount Sinai Hospital?</p> <p>24 A. Approximately July of 2021.</p> <p>25 Q. Did you participate in the</p>

<p style="text-align: right;">Page 38</p> <p>1 C. HARIGEL</p> <p>2 preparation for that survey?</p> <p>3 A. Yes.</p> <p>4 Q. What was your role in preparing</p> <p>5 for the survey?</p> <p>6 A. I have overall responsibility</p> <p>7 for the performance of the facilities</p> <p>8 management department.</p> <p>9 Q. Did you participate during the</p> <p>10 survey, itself?</p> <p>11 A. Yes.</p> <p>12 Q. What was your role during the</p> <p>13 survey, itself?</p> <p>14 A. I have overall responsibility</p> <p>15 for the performance of the facilities</p> <p>16 management department.</p> <p>17 Q. Does that mean you walked</p> <p>18 through the facilities with people</p> <p>19 from the Joint Commission?</p> <p>20 A. Yes.</p> <p>21 Q. Does that mean you presented</p> <p>22 the documentation to the Joint Commission?</p> <p>23 A. I participated in that, yes.</p> <p>24 Q. Did the hospital maintain it's</p> <p>25 accreditation after the most recent Joint</p>	<p style="text-align: right;">Page 40</p> <p>1 C. HARIGEL</p> <p>2 Joint Commission audit, did you make any</p> <p>3 announcements regarding the performance</p> <p>4 of the hospital in the Joint Commission?</p> <p>5 A. I don't think I spoke on the</p> <p>6 hospital as a whole, more as the facilities</p> <p>7 management department inside the hospital.</p> <p>8 Q. What did you say?</p> <p>9 A. Paraphrasing, I thought we did</p> <p>10 a very good job and I was very pleased with</p> <p>11 the outcome of the survey.</p> <p>12 Q. Where did you make that</p> <p>13 announcement?</p> <p>14 A. Probably in several locations.</p> <p>15 Q. Can you tell me what those</p> <p>16 locations may have been?</p> <p>17 A. One that I can think of would</p> <p>18 have been down in the main facilities</p> <p>19 management office on the SC-2 level of</p> <p>20 Mount Sinai Hospital.</p> <p>21 Q. Who were you speaking to when</p> <p>22 you made that announcement?</p> <p>23 A. I can't recall everyone who was</p> <p>24 present, but it was a larger group of the</p> <p>25 facilities management team.</p>
<p style="text-align: right;">Page 39</p> <p>1 C. HARIGEL</p> <p>2 Commission survey?</p> <p>3 A. Yes.</p> <p>4 Q. How do you know that?</p> <p>5 A. I'm privy to the report.</p> <p>6 Q. So the Joint Commission</p> <p>7 provides you with a report of their</p> <p>8 observations?</p> <p>9 A. Yes.</p> <p>10 Q. Did you receive any feedback</p> <p>11 during the survey from the Joint</p> <p>12 Commission?</p> <p>13 A. Yes.</p> <p>14 Q. Was it positive feedback?</p> <p>15 A. Yes.</p> <p>16 Q. Did the Joint Commission team</p> <p>17 provide feedback regarding Mount Sinai</p> <p>18 Hospital's fire safety department?</p> <p>19 A. Not specifically the</p> <p>20 department, no.</p> <p>21 Q. Did they provide feedback</p> <p>22 regarding Mount Sinai Hospital's fire</p> <p>23 safety performance?</p> <p>24 A. Not specifically, no.</p> <p>25 Q. After the completion of the</p>	<p style="text-align: right;">Page 41</p> <p>1 C. HARIGEL</p> <p>2 Q. Did it include the fire safety</p> <p>3 team of Mount Sinai Hospital?</p> <p>4 A. I believe there were members of</p> <p>5 the team there, yes.</p> <p>6 Q. Do you recall seeing Joe</p> <p>7 Pasquarello there?</p> <p>8 A. I can't say I recall him being</p> <p>9 there, but I know he was present because</p> <p>10 I talked with him after that announcement.</p> <p>11 Q. Did you commend Joe Pasquarello</p> <p>12 specifically for his role in preparing for</p> <p>13 the hospital audit?</p> <p>14 A. I don't believe so.</p> <p>15 Q. Why not?</p> <p>16 A. I didn't commend anyone</p> <p>17 specifically. I commended the team.</p> <p>18 Q. Do you remember what you and</p> <p>19 Joe Pasquarello said after that</p> <p>20 announcement?</p> <p>21 MR. CLARK: Objection to the</p> <p>22 form. You can answer.</p> <p>23 A. Vaguely. It was awhile ago,</p> <p>24 but vaguely, yes.</p> <p>25 Q. Can you tell me what Joe said</p>

<p style="text-align: right;">Page 42</p> <p>1 C. HARIGEL</p> <p>2 to you or what you said to him, that you</p> <p>3 recall?</p> <p>4 A. After I had the words with the</p> <p>5 team, we had lunch. Joe asked if I would</p> <p>6 come to his office with him, which I did.</p> <p>7 Joe was questioning me on the appointment</p> <p>8 of a new director of fire safety and was a</p> <p>9 little discouraged about that process and</p> <p>10 also about some counseling forms he had</p> <p>11 received.</p> <p>12 Q. Did he say anything else to</p> <p>13 you?</p> <p>14 A. I'm sure he did, it</p> <p>15 was probably a ten-, fifteen-minute</p> <p>16 conversation. Again, I don't remember</p> <p>17 every aspect of it.</p> <p>18 Q. Do you recall him talking to</p> <p>19 you about discrimination that he felt he</p> <p>20 was experiencing?</p> <p>21 MR. CLARK: Objection to the</p> <p>22 form.</p> <p>23 A. I don't remember him</p> <p>24 specifically mentioning discrimination</p> <p>25 at that time. I don't remember it</p>	<p style="text-align: right;">Page 44</p> <p>1 C. HARIGEL</p> <p>2 (Whereupon, the aforementioned</p> <p>3 Org Charts were marked as Plaintiff's</p> <p>4 Exhibit 2 for identification as of</p> <p>5 this date by the Reporter.)</p> <p>6 Q. Exhibit 2 is a compilation of</p> <p>7 org charts that were produced by Crothall.</p> <p>8 They were produced to us as org charts</p> <p>9 dating from 2013 to 2021. I don't believe</p> <p>10 each page is labeled with the year, but</p> <p>11 I attempted to put them in the order in</p> <p>12 which they were labeled by defendants,</p> <p>13 so starting with the most recent and then</p> <p>14 going back to 2013.</p> <p>15 I am going to give you a</p> <p>16 chance to scroll through them and just</p> <p>17 look at them and let me know when you have</p> <p>18 finished. I don't know if it is easier for</p> <p>19 me to scroll through it or for you to see</p> <p>20 it on your own screen.</p> <p>21 Are you able to see it on your</p> <p>22 own screen?</p> <p>23 A. I am.</p> <p>24 Q. Do you recognize these as org</p> <p>25 charts for Crothall facilities department</p>
<p style="text-align: right;">Page 43</p> <p>1 C. HARIGEL</p> <p>2 specifically, no.</p> <p>3 Q. Why was Joe upset about a</p> <p>4 director being hired?</p> <p>5 MR. CLARK: Objection to the</p> <p>6 form.</p> <p>7 MS. SELIGER: I will rephrase</p> <p>8 my question.</p> <p>9 Q. What did Joe tell you was the</p> <p>10 reason he was upset about a new director</p> <p>11 being hired?</p> <p>12 A. Joe asked me about his</p> <p>13 performance and there were several areas</p> <p>14 of his performance that I told him he was</p> <p>15 lacking in. Those were part of the reason</p> <p>16 that a new director was being brought in.</p> <p>17 Q. What were those areas of his</p> <p>18 performance that were lacking?</p> <p>19 A. Following specific directions</p> <p>20 on our programs and procedures; maintaining</p> <p>21 proper documentation of our fire and life</p> <p>22 safety systems inspection testing and</p> <p>23 maintenance; and areas of that nature.</p> <p>24 MS. SELIGER: Mark this as</p> <p>25 Plaintiff's Exhibit 2.</p>	<p style="text-align: right;">Page 45</p> <p>1 C. HARIGEL</p> <p>2 for Mount Sinai Hospital?</p> <p>3 A. It's not just Crothall on some</p> <p>4 of the org charts, but yes, these are for</p> <p>5 the facilities management department.</p> <p>6 Q. Just to clarify, you are saying</p> <p>7 the org charts may include employees who</p> <p>8 are not necessarily Crothall employees?</p> <p>9 A. Yes, they do include employees</p> <p>10 who are not Crothall employees.</p> <p>11 Q. I believe the most recent one,</p> <p>12 the most recent org chart I have is from</p> <p>13 2021.</p> <p>14 Who currently works in the</p> <p>15 Mount Sinai Hospital fire safety</p> <p>16 department?</p> <p>17 A. Bernie Nunez and Matt Bond.</p> <p>18 Q. What is Bernie Nunez' title?</p> <p>19 A. Director of fire safety.</p> <p>20 Q. And what is Matt Bond's title?</p> <p>21 A. Assistant director of fire</p> <p>22 safety.</p> <p>23 Q. Are there any other employees</p> <p>24 in fire safety, not including the fire</p> <p>25 marshals?</p>

<p style="text-align: right;">Page 46</p> <p>1 C. HARIGEL</p> <p>2 A. I don't believe so at this</p> <p>3 time.</p> <p>4 Q. Is it possible there are and</p> <p>5 you are not aware?</p> <p>6 MR. CLARK: Objection to the</p> <p>7 form.</p> <p>8 A. It is possible.</p> <p>9 Q. Are you aware of any current</p> <p>10 job openings for that department?</p> <p>11 A. I can't recall.</p> <p>12 Q. Do you need to approve anything</p> <p>13 before a job is posted for the fire safety</p> <p>14 department at Mount Sinai Hospital?</p> <p>15 A. No.</p> <p>16 Q. Do you know who John Barton is?</p> <p>17 A. Can you be more specific?</p> <p>18 Q. Do you know who John Barton is,</p> <p>19 the Crothall employee?</p> <p>20 A. Again, can you be more</p> <p>21 specific? We have two John Bartons,</p> <p>22 John Barton, Sr., and John Barton, Jr.</p> <p>23 Q. What is the title of John</p> <p>24 Barton, Sr.?</p> <p>25 A. His Crothall title is resident</p>	<p style="text-align: right;">Page 48</p> <p>1 C. HARIGEL</p> <p>2 outside of the Mount Sinai Health System</p> <p>3 and for Mike he handles operations inside</p> <p>4 the Mount Sinai Health System.</p> <p>5 Q. Who reports to John Barton, if</p> <p>6 you know?</p> <p>7 A. I don't know the exact list</p> <p>8 of his direct reports. I know several</p> <p>9 of them, but I wouldn't say it's all of</p> <p>10 them.</p> <p>11 Q. Who are those people that you</p> <p>12 do know?</p> <p>13 A. Ron Cordier, Ryan Nowicki,</p> <p>14 Felipe Garcia, Maria Gross and there are</p> <p>15 others now that I'm just not remembering</p> <p>16 exactly.</p> <p>17 Q. As part of his responsibility</p> <p>18 within the Mount Sinai Hospital system,</p> <p>19 does John Barton manage testing and</p> <p>20 maintenance of fire pumps, as far as</p> <p>21 you know?</p> <p>22 A. He's involved in that at this</p> <p>23 time, yes.</p> <p>24 Q. How long has he been involved</p> <p>25 in that?</p>
<p style="text-align: right;">Page 47</p> <p>1 C. HARIGEL</p> <p>2 regional director of operation.</p> <p>3 Q. Is he the John Barton that you</p> <p>4 mentioned earlier reports to you?</p> <p>5 A. Yes.</p> <p>6 Q. Who is John Barton, Jr.?</p> <p>7 A. He is the assistant director of</p> <p>8 operations at Queens.</p> <p>9 Q. How long have you known John</p> <p>10 Barton, Sr.?</p> <p>11 A. Approximately sixteen years.</p> <p>12 Q. Did you ever work with John</p> <p>13 Barton, Sr., at a different employer?</p> <p>14 A. No.</p> <p>15 Q. For how long has John Barton,</p> <p>16 Sr., had the title that you said he</p> <p>17 currently has?</p> <p>18 A. Approximately four years.</p> <p>19 Q. What are the main</p> <p>20 responsibilities he has in that role?</p> <p>21 MR. CLARK: Objection to the</p> <p>22 form. You can answer.</p> <p>23 A. John has a dual reporting</p> <p>24 relationship, he reports to both myself</p> <p>25 and Michael Roche. For me he handles items</p>	<p style="text-align: right;">Page 49</p> <p>1 C. HARIGEL</p> <p>2 A. I would say approximately two</p> <p>3 years.</p> <p>4 Q. What aspect is he involved in?</p> <p>5 A. He oversees the testing and</p> <p>6 maintenance of the fire pumps.</p> <p>7 Q. Who did it prior to him doing</p> <p>8 it two years ago?</p> <p>9 A. It was performed by a different</p> <p>10 contractor.</p> <p>11 Q. So an outside vendor managed</p> <p>12 it?</p> <p>13 A. They didn't manage it, no.</p> <p>14 They performed the test.</p> <p>15 Q. Who was that outside vendor?</p> <p>16 A. At that time it would have been</p> <p>17 Lund.</p> <p>18 Q. Beginning approximately two</p> <p>19 years ago, did you testify that he took</p> <p>20 over the testing of the fire pumps?</p> <p>21 A. He took over the management of</p> <p>22 the testing of the fire pumps, correct.</p> <p>23 Q. You testified that prior to</p> <p>24 that, Lund was handling the management</p> <p>25 of the testing?</p>

<p style="text-align: right;">Page 50</p> <p>1 C. HARIGEL</p> <p>2 MR. CLARK: Objection to the</p> <p>3 form.</p> <p>4 A. No. They were doing the actual</p> <p>5 testing.</p> <p>6 Q. So who was managing it before</p> <p>7 John Barton took over that management two</p> <p>8 years ago?</p> <p>9 A. Fire safety.</p> <p>10 Q. Who in fire safety?</p> <p>11 A. It would have been the fire</p> <p>12 safety department. It was one of their</p> <p>13 required testing, so it would have gone</p> <p>14 under the individuals in fire safety</p> <p>15 at the time.</p> <p>16 Q. Two years ago, are you saying</p> <p>17 beginning in 2020, approximately, John</p> <p>18 Barton took over the testing of the fire</p> <p>19 pumps?</p> <p>20 MR. CLARK: Objection to the</p> <p>21 form.</p> <p>22 A. The timeframe is approximate,</p> <p>23 but again, he took over the management of</p> <p>24 the testing, correct.</p> <p>25 Q. Can you explain to me how you</p>	<p style="text-align: right;">Page 52</p> <p>1 C. HARIGEL</p> <p>2 Currently or two years ago?</p> <p>3 Q. Does fire safety currently test</p> <p>4 fire pumps?</p> <p>5 A. We are referring to just Mount</p> <p>6 Sinai Hospital, correct?</p> <p>7 Q. Correct.</p> <p>8 A. No, fire safety is not</p> <p>9 currently testing the fire pumps</p> <p>10 at Mount Sinai Hospital.</p> <p>11 Q. Who is currently testing the</p> <p>12 fire pumps?</p> <p>13 A. There are several different</p> <p>14 tests conducted, there's a monthly and</p> <p>15 there's an annual. I believe the monthlies</p> <p>16 are conducted with in-house staff and the</p> <p>17 annual is an external vendor.</p> <p>18 Q. When you say in-house staff, is</p> <p>19 that fire marshals or is that a different</p> <p>20 team?</p> <p>21 A. It's a different team.</p> <p>22 Q. Which team is that?</p> <p>23 A. I believe it is part of the</p> <p>24 plant operations team under John Barton.</p> <p>25 Q. Two years ago who was</p>
<p style="text-align: right;">Page 51</p> <p>1 C. HARIGEL</p> <p>2 are differentiating management of testing</p> <p>3 and actual testing?</p> <p>4 A. John Barton did not do the</p> <p>5 test, himself; he managed the process.</p> <p>6 Q. I assume he would manage either</p> <p>7 an internal or an external team to do the</p> <p>8 testing?</p> <p>9 A. That is correct.</p> <p>10 Q. Prior to him doing that,</p> <p>11 who was the person who was managing</p> <p>12 the internal or external team doing</p> <p>13 the testing?</p> <p>14 A. The fire safety department.</p> <p>15 Q. Are you saying that a</p> <p>16 particular person in the fire safety</p> <p>17 department was managing it or do you</p> <p>18 not know?</p> <p>19 A. I do not know who they assign</p> <p>20 that task to in the fire safety department</p> <p>21 at Mount Sinai Hospital.</p> <p>22 Q. Does fire safety actually</p> <p>23 conduct the tests of fire pumps?</p> <p>24 MR. CLARK: Objection to the</p> <p>25 form.</p>	<p style="text-align: right;">Page 53</p> <p>1 C. HARIGEL</p> <p>2 conducting those tests of the fire</p> <p>3 pumps?</p> <p>4 A. Again, Lund Fire.</p> <p>5 Q. Two years ago, before John</p> <p>6 Barton took over management of the testing,</p> <p>7 who was managing the testing?</p> <p>8 A. The fire safety department.</p> <p>9 Q. Are you saying you don't know</p> <p>10 specifically who was managing the fire pump</p> <p>11 testing prior to John Barton?</p> <p>12 MR. CLARK: Objection to the</p> <p>13 form.</p> <p>14 A. Correct, I don't know who fire</p> <p>15 safety assigned to manage that, I don't</p> <p>16 know.</p> <p>17 Q. Is it possible Matt Bond was</p> <p>18 managing the testing of the fire pumps</p> <p>19 prior to John Barton taking over?</p> <p>20 A. Yes, it is possible.</p> <p>21 Q. Does Doug Rome report to Mike</p> <p>22 Roche?</p> <p>23 A. Yes.</p> <p>24 Q. Does Ryan Nowicki report to</p> <p>25 Mike Roche?</p>

<p style="text-align: right;">Page 54</p> <p>1 C. HARIGEL</p> <p>2 A. Not at the present time.</p> <p>3 Q. Did he ever report to Mike</p> <p>4 Roche?</p> <p>5 A. Yes.</p> <p>6 Q. Does Matt Bond report to Mike</p> <p>7 Roche?</p> <p>8 A. No.</p> <p>9 Q. Has he ever reported to Mike</p> <p>10 Roche?</p> <p>11 A. Maybe. I can't really recall,</p> <p>12 but potentially, yes.</p> <p>13 Q. Does Bernie Nunez report to</p> <p>14 Mike Roche?</p> <p>15 A. Yes.</p> <p>16 Q. Does Bobby Denver report to</p> <p>17 Mike Roche?</p> <p>18 A. Yes.</p> <p>19 Q. Does Joe Ecklof report to Mike</p> <p>20 Roche?</p> <p>21 A. No.</p> <p>22 Q. Who does he report to?</p> <p>23 A. I believe directly to John</p> <p>24 Barton.</p> <p>25 Q. Do you know how old Mike Roche</p>	<p style="text-align: right;">Page 56</p> <p>1 C. HARIGEL</p> <p>2 but some of them related to the</p> <p>3 documentation process.</p> <p>4 Q. The documentation of what?</p> <p>5 A. Our required inspection,</p> <p>6 testing, maintenance and followup of</p> <p>7 all of our fire and life safety systems.</p> <p>8 Q. Is that the documentation in</p> <p>9 the Team Doc program?</p> <p>10 A. Yes.</p> <p>11 Q. Any other documentation?</p> <p>12 A. I believe there were parts with</p> <p>13 work order performance as well.</p> <p>14 Q. In December of 2020 or the</p> <p>15 winter of 2020?</p> <p>16 A. It would have been the winter</p> <p>17 of 2020, yes.</p> <p>18 Q. Aside from documentation, were</p> <p>19 there any other performance issues that</p> <p>20 Mike Roche was informing you and</p> <p>21 Mr. Shaffer about?</p> <p>22 A. I can't recall at this time.</p> <p>23 Q. Do you know whether Mike Roche</p> <p>24 actually did issue Joe a write-up or</p> <p>25 professional counseling?</p>
<p style="text-align: right;">Page 55</p> <p>1 C. HARIGEL</p> <p>2 is?</p> <p>3 A. Approximately 35.</p> <p>4 Q. You testified earlier that Joe</p> <p>5 Pasquarello complained to you about some</p> <p>6 disciplinary matter, I think that's how</p> <p>7 you characterized it.</p> <p>8 Who was disciplining Joe</p> <p>9 Pasquarello?</p> <p>10 A. The counseling came from Mike</p> <p>11 Roche.</p> <p>12 Q. When did you first become aware</p> <p>13 that Mike Roche wanted to write Joe up?</p> <p>14 A. Approximately the winter of</p> <p>15 2020.</p> <p>16 Q. How did you learn that?</p> <p>17 A. Mike requested a meeting with</p> <p>18 myself and Bob Shaffer.</p> <p>19 Q. What did he tell you was the</p> <p>20 reason he wanted to write up Joe?</p> <p>21 A. Performance issues inside the</p> <p>22 fire safety department.</p> <p>23 Q. What were the specific</p> <p>24 performance issues?</p> <p>25 A. I can't remember all of them,</p>	<p style="text-align: right;">Page 57</p> <p>1 C. HARIGEL</p> <p>2 MR. CLARK: Objection to the</p> <p>3 form. You can answer.</p> <p>4 A. No, he did not.</p> <p>5 Q. Why is that, if you know?</p> <p>6 A. Mr. Shaffer and I interceded</p> <p>7 and said we would spend extra time with</p> <p>8 Joe.</p> <p>9 Q. Did you spend extra time with</p> <p>10 Joe?</p> <p>11 A. Both Bob and I did, yes.</p> <p>12 Q. When did you spend extra time</p> <p>13 with Joe with respect to this particular</p> <p>14 issue?</p> <p>15 A. Mine was remote and Bob was</p> <p>16 onsite approximately weekly assisting.</p> <p>17 Q. When you say yours was remote,</p> <p>18 what do you mean by that?</p> <p>19 A. I would audit the program</p> <p>20 remotely through our electronic database</p> <p>21 and send reports.</p> <p>22 Q. You would audit which program</p> <p>23 and send reports to who?</p> <p>24 A. I would audit Team Doc and let</p> <p>25 Joe know items I saw.</p>

15 (Pages 54 - 57)

<p style="text-align: right;">Page 58</p> <p>1 C. HARIGEL</p> <p>2 Q. You would send him emails</p> <p>3 presumably with items that you saw that</p> <p>4 were problematic?</p> <p>5 A. Yes.</p> <p>6 MS. SELIGER: Those emails have</p> <p>7 not been produced and they were</p> <p>8 certainly requested.</p> <p>9 Q. Was that the extent of your</p> <p>10 extra time spent with Joe Pasquarello</p> <p>11 with respect to this particular matter?</p> <p>12 A. Yes.</p> <p>13 Q. How frequently did you send him</p> <p>14 those emails?</p> <p>15 A. I don't recall.</p> <p>16 Q. You mentioned that Bob Shaffer</p> <p>17 met with Joe on a weekly basis with respect</p> <p>18 to this performance issue; is that correct?</p> <p>19 A. Approximately weekly, yes.</p> <p>20 Q. Do you know what Bob Shaffer</p> <p>21 was discussing or doing with Joe during</p> <p>22 these weekly meetings?</p> <p>23 A. Yes, evaluating the program.</p> <p>24 Q. Which program?</p> <p>25 A. The fire and life safety</p>	<p style="text-align: right;">Page 60</p> <p>1 C. HARIGEL</p> <p>2 question.</p> <p>3 Q. Regarding the performance</p> <p>4 problems identified by Mike Roche beginning</p> <p>5 in the winter of 2020, were there any other</p> <p>6 performance problems with Joe Pasquarello,</p> <p>7 aside from documentation?</p> <p>8 A. I can't recall any.</p> <p>9 MS. SELIGER: Off the record.</p> <p>10 (Whereupon, an off the record</p> <p>11 discussion was held.)</p> <p>12 Q. You mentioned previously that</p> <p>13 you had read the Complaint filed in this</p> <p>14 case.</p> <p>15 Were you aware that Joe</p> <p>16 Pasquarello had made formal complaints</p> <p>17 internally of age discrimination against</p> <p>18 Mike Roche?</p> <p>19 A. Yes.</p> <p>20 Q. When did you first learn that</p> <p>21 Joe had made these discrimination</p> <p>22 complaints?</p> <p>23 A. Approximately late May of 2021.</p> <p>24 MS. SELIGER: Mark this as</p> <p>25 Plaintiff's Exhibit 3.</p>
<p style="text-align: right;">Page 59</p> <p>1 C. HARIGEL</p> <p>2 testing and maintenance at Mount Sinai</p> <p>3 Hospital.</p> <p>4 Q. Is that the documentation</p> <p>5 program again, the Team Docs?</p> <p>6 A. For the most part, yes.</p> <p>7 Q. Do you know if Bob Shaffer also</p> <p>8 sent any feedback to Joe regarding his</p> <p>9 documentation performance?</p> <p>10 A. I do not.</p> <p>11 Q. Is there any documentation of</p> <p>12 Bob's weekly meetings with Joe regarding</p> <p>13 his performance since the winter of 2020?</p> <p>14 A. I'm not aware of any, no.</p> <p>15 Q. Did you tell Joe that a</p> <p>16 performance issue had been identified</p> <p>17 with respect to documentation as of</p> <p>18 the winter of 2020?</p> <p>19 A. No, I don't recall that.</p> <p>20 Q. Were there any other issues</p> <p>21 that you recall being discussed, aside</p> <p>22 from documentation?</p> <p>23 MR. CLARK: Objection to the</p> <p>24 form.</p> <p>25 MS. SELIGER: I will clarify my</p>	<p style="text-align: right;">Page 61</p> <p>1 C. HARIGEL</p> <p>2 (Whereupon, the aforementioned</p> <p>3 Human Resources Document was marked</p> <p>4 as Plaintiff's Exhibit 3 for</p> <p>5 identification as of this date</p> <p>6 by the Reporter.)</p> <p>7 Q. Chris, if you are able to look</p> <p>8 through it and let me know when you are</p> <p>9 ready.</p> <p>10 A. Okay.</p> <p>11 Q. Do you know what this document</p> <p>12 is?</p> <p>13 A. It looks like a communication</p> <p>14 between Patty, who was our HR manager, and</p> <p>15 the Crothall Human Resources Service</p> <p>16 Center.</p> <p>17 Q. Does it appear to be a record</p> <p>18 of their communications with respect to</p> <p>19 Joe Pasquarello?</p> <p>20 A. Yes.</p> <p>21 Q. Does it look like a log of</p> <p>22 their communications in response to his</p> <p>23 complaint?</p> <p>24 MR. CLARK: Objection to the</p> <p>25 form.</p>

<p style="text-align: right;">Page 62</p> <p>1 C. HARIGEL</p> <p>2 Q. Does it look like their</p> <p>3 communications regarding his complaint?</p> <p>4 It says, "Joe Pasquarello's Allegations"</p> <p>5 under subject.</p> <p>6 MR. CLARK: Objection to the</p> <p>7 form. You can answer.</p> <p>8 A. I would say it looks like a</p> <p>9 continuation to that, yes.</p> <p>10 Q. It's certainly not the full</p> <p>11 record.</p> <p>12 If you look at the middle of</p> <p>13 this first page, it appears to be, like you</p> <p>14 said, a communication between Pat Lizarazo</p> <p>15 and somebody named Shani, I'm not sure if</p> <p>16 I'm pronouncing that right.</p> <p>17 I am going to direct you to</p> <p>18 look at the bottom of the first page where</p> <p>19 it says, "For performance improvement</p> <p>20 plan."</p> <p>21 Do you see that?</p> <p>22 A. I do.</p> <p>23 Q. Do you see where it says</p> <p>24 paragraph numbered one, it says, "All</p> <p>25 his preventive maintenance tasks have</p>	<p style="text-align: right;">Page 64</p> <p>1 C. HARIGEL</p> <p>2 Q. As far as you know, are those</p> <p>3 statistics at the bullet points where it</p> <p>4 says March, April and May, are those other</p> <p>5 departments open preventive measures?</p> <p>6 A. Not other departments. Other</p> <p>7 areas inside of the facilities management</p> <p>8 department. I cannot speak to the validity</p> <p>9 of the data though.</p> <p>10 Q. Are you aware that part of the</p> <p>11 disciplinary action that was issued to Joe</p> <p>12 Pasquarello involved the closing of his</p> <p>13 preventive measures?</p> <p>14 MR. CLARK: Objection to the</p> <p>15 form. You can answer.</p> <p>16 A. Yes, I believe I'm aware of</p> <p>17 that.</p> <p>18 Q. Do you know if the other</p> <p>19 people responsible for the open preventive</p> <p>20 measures were similarly disciplined?</p> <p>21 A. Again, I cannot speak to the</p> <p>22 validity of that data, so I won't answer.</p> <p>23 Q. I'm not asking you about the</p> <p>24 validity.</p> <p>25 Are you aware of any other</p>
<p style="text-align: right;">Page 63</p> <p>1 C. HARIGEL</p> <p>2 been 100 percent compliant for March,</p> <p>3 April and May. Reports from Mike show 100</p> <p>4 percent completion of all areas as this is</p> <p>5 a monthly," then I'm going to scroll to the</p> <p>6 next page, "requirement. I also verified</p> <p>7 the information with Chris Harigel, VP for</p> <p>8 facilities management."</p> <p>9 Do you see that?</p> <p>10 A. I do.</p> <p>11 Q. Is this an accurate account</p> <p>12 with respect to the part that references</p> <p>13 you?</p> <p>14 MR. CLARK: Objection to the</p> <p>15 form. You can answer.</p> <p>16 A. I would have no reason to say</p> <p>17 it wasn't. It was over a year ago, but I</p> <p>18 would have no reason to doubt it.</p> <p>19 Q. Right after that, do you see</p> <p>20 where it says, "Other areas are not" and</p> <p>21 then it lists for March, April and May,</p> <p>22 14 percent open for general, 3 percent</p> <p>23 high risk? I'm not going to read all</p> <p>24 of this, but do you see that?</p> <p>25 A. I do see it, yes.</p>	<p style="text-align: right;">Page 65</p> <p>1 C. HARIGEL</p> <p>2 people responsible for preventive measures</p> <p>3 who were disciplined for having open</p> <p>4 preventive measures?</p> <p>5 A. If the data is not accurate,</p> <p>6 then I can't comment on if they were</p> <p>7 disciplined, if the data is not accurate.</p> <p>8 Q. Who are the different</p> <p>9 departments, or I think you used a</p> <p>10 different word, that would be responsible</p> <p>11 for the other areas of preventive measures,</p> <p>12 namely, general, high risk and non-high</p> <p>13 risk?</p> <p>14 MR. CLARK: Read back the</p> <p>15 question.</p> <p>16 (Whereupon, the Reporter read</p> <p>17 back the referred to question.)</p> <p>18 MR. CLARK: Objection to the</p> <p>19 form. You can answer.</p> <p>20 A. There were several different</p> <p>21 areas under the facilities management</p> <p>22 department that could potentially be</p> <p>23 responsible for the work that falls under</p> <p>24 these categories. I don't see what it is,</p> <p>25 so I can't answer who it would have been.</p>

<p style="text-align: right;">Page 66</p> <p>1 C. HARIGEL</p> <p>2 Q. Who are the different</p> <p>3 departments that are responsible for</p> <p>4 preventive measures, aside from fire</p> <p>5 safety?</p> <p>6 A. Some fall to our electrical</p> <p>7 trades, some fall to our HVAC trades,</p> <p>8 and some fall to our plumbing trades.</p> <p>9 Q. Are you aware of whether</p> <p>10 or not any of the people in those other</p> <p>11 departments or trades were disciplined</p> <p>12 for having open preventive measures</p> <p>13 during those three months?</p> <p>14 A. I'm not aware of any.</p> <p>15 Q. Has anyone ever complained to</p> <p>16 you or HR about Mike Roche?</p> <p>17 MR. CLARK: Objection to the</p> <p>18 form. You can answer.</p> <p>19 A. Other than Joe Pasquarello, no,</p> <p>20 I don't believe so.</p> <p>21 Q. Do you know a former employee</p> <p>22 named Cortland Scott?</p> <p>23 A. I do.</p> <p>24 Q. Isn't it true that Cortland</p> <p>25 Scott complained of harassment and</p>	<p style="text-align: right;">Page 68</p> <p>1 C. HARIGEL</p> <p>2 for some amount of time?</p> <p>3 A. Yes, he was.</p> <p>4 Q. Was he a full-time employee?</p> <p>5 A. Yes.</p> <p>6 Q. Isn't it true that Ron</p> <p>7 Kanterman left the fire safety team at</p> <p>8 Mount Sinai Hospital in approximately</p> <p>9 June of 2021?</p> <p>10 A. The date sounds about right,</p> <p>11 yes.</p> <p>12 Q. Do you know who Omelfi Garcia</p> <p>13 is?</p> <p>14 A. I do.</p> <p>15 Q. Was she a full-time employee?</p> <p>16 A. Yes.</p> <p>17 Q. Do you know what her role was</p> <p>18 before she left Crothall?</p> <p>19 A. She worked in the fire safety</p> <p>20 area. I believe she was a fire safety</p> <p>21 supervisor.</p> <p>22 Q. Did she also report to Joe</p> <p>23 Pasquarello?</p> <p>24 A. Yes.</p> <p>25 Q. Isn't it true that Omelfi</p>
<p style="text-align: right;">Page 67</p> <p>1 C. HARIGEL</p> <p>2 retaliation by Mike Roche?</p> <p>3 MR. CLARK: Objection to the</p> <p>4 form. You can answer.</p> <p>5 A. Not that I can recall.</p> <p>6 Q. Do you know an employee named</p> <p>7 Celeste Valentine?</p> <p>8 A. Yes, I do.</p> <p>9 Q. Isn't it true that Celeste</p> <p>10 Valentine complained of FMLA retaliation</p> <p>11 by Mike Roche?</p> <p>12 MR. CLARK: Objection to the</p> <p>13 form. You can answer.</p> <p>14 A. I don't recall it being</p> <p>15 directed toward Mike Roche, I don't</p> <p>16 recall.</p> <p>17 Q. If there was a complaint made</p> <p>18 about Mike Roche or any of your direct</p> <p>19 reports, are you generally notified?</p> <p>20 A. Yes.</p> <p>21 Q. Do you know who Ron Kanterman</p> <p>22 is?</p> <p>23 A. I do.</p> <p>24 Q. Is it true that he was a</p> <p>25 manager reporting to Joe Pasquarello</p>	<p style="text-align: right;">Page 69</p> <p>1 C. HARIGEL</p> <p>2 Garcia left in approximately March of 2021?</p> <p>3 A. It was probably approximately</p> <p>4 that time. I will take your word on the</p> <p>5 dating.</p> <p>6 Q. You don't have to.</p> <p>7 Isn't it true that when Ron</p> <p>8 Kanterman and Omelfi Garcia left fire</p> <p>9 safety, Joe was running fire safety by</p> <p>10 himself?</p> <p>11 MR. CLARK: Objection to the</p> <p>12 form. You can answer.</p> <p>13 A. He would have been the only</p> <p>14 Crothall manager in the fire safety area,</p> <p>15 yes, at Mount Sinai Hospital.</p> <p>16 Q. Isn't it true that Joe</p> <p>17 Pasquarello requested that those two</p> <p>18 roles, the role held by Ron Kanterman</p> <p>19 and Omelfi Garcia, he requested those</p> <p>20 roles be replaced in order for fire</p> <p>21 safety to run effectively?</p> <p>22 A. I can't recall if it was done,</p> <p>23 but I'm sure it was.</p> <p>24 Q. Do you recall whether or not</p> <p>25 Joe asked for it to be done?</p>

<p style="text-align: right;">Page 70</p> <p>1 C. HARIGEL</p> <p>2 A. I can't recall.</p> <p>3 Q. While Joe was running fire</p> <p>4 safety on his own, isn't it true he was</p> <p>5 fulfilling the duties of those two</p> <p>6 employees?</p> <p>7 A. He was running the fire safety</p> <p>8 area of Mount Sinai Hospital, yes, so all</p> <p>9 the responsibilities he would have been</p> <p>10 handling, yes.</p> <p>11 Q. He was covering two full-time</p> <p>12 employees in addition to himself?</p> <p>13 A. Your comment on two full-time</p> <p>14 employees doesn't bear any merit. There's</p> <p>15 no set number of employees as to how we</p> <p>16 staff a department.</p> <p>17 Q. Would you say the workload</p> <p>18 decreased around the time those two</p> <p>19 employees left in early to mid 2021?</p> <p>20 A. No.</p> <p>21 Q. When did you first learn that</p> <p>22 Mike Roche wanted to hire a fire safety</p> <p>23 director for Mount Sinai Hospital while</p> <p>24 Joe Pasquarello was employed?</p> <p>25 A. I can't recall.</p>	<p style="text-align: right;">Page 72</p> <p>1 C. HARIGEL</p> <p>2 the two manager positions that were then</p> <p>3 open?</p> <p>4 MR. CLARK: Objection to the</p> <p>5 form. You can answer.</p> <p>6 A. No, not in addition.</p> <p>7 Q. Why not?</p> <p>8 A. We were restructuring the</p> <p>9 department to put a director back in</p> <p>10 charge of fire safety.</p> <p>11 Q. Are you saying a director as</p> <p>12 opposed to an assistant director?</p> <p>13 A. Yes.</p> <p>14 Q. Was Bernie Nunez replacing</p> <p>15 anyone?</p> <p>16 A. No.</p> <p>17 Q. What would you say the</p> <p>18 difference is between the director</p> <p>19 and the assistant director?</p> <p>20 A. The director has overall</p> <p>21 responsibility for every aspect of</p> <p>22 the fire safety department at Mount</p> <p>23 Sinai Hospital.</p> <p>24 Q. Isn't it true that Joe</p> <p>25 Pasquarello had overall responsibility</p>
<p style="text-align: right;">Page 71</p> <p>1 C. HARIGEL</p> <p>2 Q. Do you recall when you learned</p> <p>3 that Mike Roche wanted to hire Bernie Nunez</p> <p>4 as fire safety director?</p> <p>5 A. I don't believe it was Mike's</p> <p>6 call to want to hire Bernie Nunez.</p> <p>7 Q. Whose call was it?</p> <p>8 A. I believe in discussion with</p> <p>9 Mike, Bob Shaffer and I recommended that</p> <p>10 Bernie be considered for the opportunity.</p> <p>11 Q. For the opportunity of fire</p> <p>12 safety director?</p> <p>13 A. To apply for the position that</p> <p>14 was posted, correct.</p> <p>15 Q. Who interviewed Bernie for the</p> <p>16 job?</p> <p>17 A. I don't know who interviewed</p> <p>18 Bernie for the job.</p> <p>19 Q. When you discussed with</p> <p>20 Bob Shaffer and Mike Roche Bernie as a</p> <p>21 candidate for the fire safety director</p> <p>22 position, did Bob Shaffer recommend</p> <p>23 him for the position of director?</p> <p>24 A. Yes, I believe so.</p> <p>25 Q. Was that to be in addition to</p>	<p style="text-align: right;">Page 73</p> <p>1 C. HARIGEL</p> <p>2 for the fire safety department prior</p> <p>3 to Bernie starting as director?</p> <p>4 A. No, I don't believe he did.</p> <p>5 Q. Didn't you just testify that he</p> <p>6 had overall responsibility for fire safety?</p> <p>7 MR. CLARK: Objection to the</p> <p>8 form.</p> <p>9 A. I don't believe I ever</p> <p>10 testified to that.</p> <p>11 Q. Aside from Joe Pasquarello, who</p> <p>12 else had responsibility for fire safety at</p> <p>13 Mount Sinai Hospital after his two managers</p> <p>14 left?</p> <p>15 A. There were no other managers at</p> <p>16 the site to work in fire safety, correct.</p> <p>17 It is not overall responsibility for the</p> <p>18 fire safety department though.</p> <p>19 Q. What am I missing? What</p> <p>20 responsibility did he not have as an</p> <p>21 assistant director versus a director?</p> <p>22 MR. CLARK: Objection to the</p> <p>23 form. You can answer.</p> <p>24 A. As we already discussed, we</p> <p>25 took the fire pump testing and maintenance</p>

<p style="text-align: right;">Page 74</p> <p>1 C. HARIGEL</p> <p>2 away from the fire safety department and</p> <p>3 handed it to the plant operations</p> <p>4 department.</p> <p>5 Q. As an assistant director,</p> <p>6 Joe Pasquarello did not have management</p> <p>7 responsibility for the fire pump testing?</p> <p>8 A. Not when it was transitioned to</p> <p>9 plant operations, no, under John Barton.</p> <p>10 Q. Is that the main difference</p> <p>11 between his level of responsibility as</p> <p>12 an assistant director and Bernie Nunez'</p> <p>13 responsibility as a director?</p> <p>14 MR. CLARK: Objection to the</p> <p>15 form. You can answer.</p> <p>16 A. No, there were probably other</p> <p>17 operational items that the roles assumed</p> <p>18 when we divided up the director role. I</p> <p>19 don't have all of them off the top of my</p> <p>20 head at the present time.</p> <p>21 Q. At the time Bernie was hired,</p> <p>22 there was no intention to replace the</p> <p>23 managers that left; is that correct?</p> <p>24 A. Not to hire the two positions</p> <p>25 after Bernie was hired, no.</p>	<p style="text-align: right;">Page 76</p> <p>1 C. HARIGEL</p> <p>2 documents as the first progressive</p> <p>3 counseling and performance improvement</p> <p>4 plan issued by Mike Roche to Joe</p> <p>5 Pasquarello?</p> <p>6 A. Yes.</p> <p>7 Q. Have you seen these documents</p> <p>8 in the past?</p> <p>9 A. Yes.</p> <p>10 Q. When did you see them?</p> <p>11 A. Most recently my attorney</p> <p>12 forwarded them to me this morning.</p> <p>13 Q. At anytime prior to that?</p> <p>14 A. I would have seen this on</p> <p>15 submission to HRSC as well.</p> <p>16 Q. Would Mike Roche have submitted</p> <p>17 it to you first or would HR have sent it to</p> <p>18 you?</p> <p>19 A. Mike Roche would have reviewed</p> <p>20 it with me.</p> <p>21 Q. Did he review the progressive</p> <p>22 counseling and performance improvement</p> <p>23 plan with you?</p> <p>24 A. To my recollection, yes, we</p> <p>25 did.</p>
<p style="text-align: right;">Page 75</p> <p>1 C. HARIGEL</p> <p>2 Q. Just so I understand, you are</p> <p>3 saying once Bernie was hired, there was no</p> <p>4 intention to hire two additional managers</p> <p>5 or one additional manager?</p> <p>6 A. There was no intention to hire</p> <p>7 two additional managers. I believe the one</p> <p>8 was probably under consideration, but no</p> <p>9 intention to hire two.</p> <p>10 Q. Was that communicated to Joe</p> <p>11 Pasquarello at the time?</p> <p>12 A. I don't know.</p> <p>13 MS. SELIGER: Mark this as</p> <p>14 Plaintiff's Exhibit 5.</p> <p>15 (Whereupon, the aforementioned</p> <p>16 Progressive Counseling and</p> <p>17 Performance Improvement Plan was</p> <p>18 marked as Plaintiff's Exhibit 5 for</p> <p>19 identification as of this date by</p> <p>20 the Reporter.)</p> <p>21 Q. I am going to show you Exhibit</p> <p>22 5. Let me know when you have had a chance</p> <p>23 to review this.</p> <p>24 A. Okay.</p> <p>25 Q. Do you recognize these</p>	<p style="text-align: right;">Page 77</p> <p>1 C. HARIGEL</p> <p>2 Q. Did that occur before June</p> <p>3 10th, which looks like the date it was</p> <p>4 issued to Joe?</p> <p>5 A. Yes.</p> <p>6 Q. Did Mike Roche provide you with</p> <p>7 any documentation to support this write-up?</p> <p>8 A. Not to my knowledge.</p> <p>9 Q. Did he ask for your consent to</p> <p>10 write up --</p> <p>11 A. No.</p> <p>12 Q. You testified earlier that Joe</p> <p>13 Pasquarello complained to you about being</p> <p>14 put on a PIP or performance improvement</p> <p>15 plan.</p> <p>16 Is this the performance</p> <p>17 improvement plan that you believe</p> <p>18 he was complaining about?</p> <p>19 A. I would assume so, yes.</p> <p>20 Q. You mentioned he complained to</p> <p>21 you about it after the announcement of the</p> <p>22 Joint Commission outcome; is that correct?</p> <p>23 A. Yes.</p> <p>24 Q. Isn't it true that he</p> <p>25 questioned why he was on a PIP given the</p>

20 (Pages 74 - 77)

<p style="text-align: right;">Page 78</p> <p>1 C. HARIGEL</p> <p>2 successful outcome of the Joint Commission</p> <p>3 survey?</p> <p>4 MR. CLARK: Objection to the</p> <p>5 form.</p> <p>6 A. I can't recall if that was an</p> <p>7 exact statement.</p> <p>8 MS. SELIGER: Mark this as</p> <p>9 Plaintiff's Exhibit 13.</p> <p>10 (Whereupon, the aforementioned</p> <p>11 Progressive Counseling was marked</p> <p>12 as Plaintiff's Exhibit 13 for</p> <p>13 identification as of this date</p> <p>14 by the Reporter.)</p> <p>15 Q. Let me know if you are able to</p> <p>16 see it on your screen.</p> <p>17 A. Yes, I can see it on my screen.</p> <p>18 Q. After you have had a chance to</p> <p>19 review it, let me know when you are ready.</p> <p>20 A. Okay.</p> <p>21 Q. Have you seen this document</p> <p>22 prior to today?</p> <p>23 A. I would say yes.</p> <p>24 Q. Do you recognize this as the</p> <p>25 second progressive counseling issue to</p>	<p style="text-align: right;">Page 80</p> <p>1 C. HARIGEL</p> <p>2 appears that way.</p> <p>3 Q. The second paragraph looks</p> <p>4 like it has to do with something called an</p> <p>5 urgent impact ILSM or urgent impact ILSMs,</p> <p>6 plural.</p> <p>7 A. Is there a question?</p> <p>8 Q. I'm just asking if you agree</p> <p>9 that that is what paragraph 2 concerns,</p> <p>10 urgent impact ILSMs?</p> <p>11 A. Yes, it appears that way.</p> <p>12 MS. SELIGER: Mark this as</p> <p>13 Plaintiff's Exhibit 6.</p> <p>14 (Whereupon, the aforementioned</p> <p>15 Emails were marked as Plaintiff's</p> <p>16 Exhibit 6 for identification as</p> <p>17 of this date by the Reporter.)</p> <p>18 Q. I would like to show you</p> <p>19 Exhibit 6. Chris, let me know when you</p> <p>20 have had a chance to review these five</p> <p>21 pages.</p> <p>22 A. Okay.</p> <p>23 Q. Have you seen these documents</p> <p>24 before?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 79</p> <p>1 C. HARIGEL</p> <p>2 Joe Pasquarello by Mike Roche?</p> <p>3 A. Yes.</p> <p>4 Q. It looks like it was issued</p> <p>5 July 19, 2021; is that correct?</p> <p>6 A. Yes.</p> <p>7 Q. When do you recall seeing this?</p> <p>8 A. I don't recall.</p> <p>9 Q. Do you know if you saw it</p> <p>10 before it was issued to Joe or after?</p> <p>11 A. I believe I would have seen it</p> <p>12 before it was issued.</p> <p>13 Q. Do you recall if Mike Roche</p> <p>14 spoke to you about the contents of this</p> <p>15 progressive counseling?</p> <p>16 A. I can't recall.</p> <p>17 Q. I want to direct you to the</p> <p>18 detailed account of the incident resulting</p> <p>19 in the conference. It appears that the</p> <p>20 paragraph numbered 1 has to do with a</p> <p>21 preventative measure.</p> <p>22 Is that your understanding?</p> <p>23 MR. CLARK: Objection to the</p> <p>24 form.</p> <p>25 A. From what I'm reading, yes, it</p>	<p style="text-align: right;">Page 81</p> <p>1 C. HARIGEL</p> <p>2 Q. It looks like this is an</p> <p>3 email sent from Joe Pasquarello to Patricia</p> <p>4 Lizarazo, you and Bob Shaffer. The subject</p> <p>5 says, "Response to second progressive</p> <p>6 counseling report and complaint of</p> <p>7 retaliation, harassment, hostile work</p> <p>8 environment and age discrimination."</p> <p>9 Do you see that?</p> <p>10 A. Yes.</p> <p>11 Q. On the second page of this</p> <p>12 exhibit, do you recognize this letter which</p> <p>13 also appears to be from Joe Pasquarello to</p> <p>14 Patricia Lizarazo, you and Bob Shaffer, do</p> <p>15 you recognize this as the letter that was</p> <p>16 sent in that email?</p> <p>17 A. Yes, it appears to be.</p> <p>18 Q. Did you respond to this email?</p> <p>19 A. I can't recall exactly</p> <p>20 responding to the email, but I believe</p> <p>21 I would have informed Patty to forward</p> <p>22 to our Human Resources Center and follow</p> <p>23 the process that they lay out.</p> <p>24 Q. Did you speak to human</p> <p>25 resources about it?</p>

<p style="text-align: right;">Page 82</p> <p>1 C. HARIGEL</p> <p>2 A. I believe I may have had a</p> <p>3 conversation with some representatives</p> <p>4 of our Human Resources Services Center,</p> <p>5 yes.</p> <p>6 Q. Did you speak with Mike Roche</p> <p>7 about it?</p> <p>8 A. I don't recall speaking</p> <p>9 directly to Mike Roche about this.</p> <p>10 Q. You don't recall alerting him</p> <p>11 that a complaint had been made about him?</p> <p>12 MR. CLARK: Objection to the</p> <p>13 form. You can answer.</p> <p>14 A. I don't know if I did or if I</p> <p>15 instructed Patty, our HR manager, to do it.</p> <p>16 Q. Did you ever speak to him about</p> <p>17 it after he was alerted that there was a</p> <p>18 complaint?</p> <p>19 MR. CLARK: Objection to the</p> <p>20 form. You can answer.</p> <p>21 A. I can't say for one hundred</p> <p>22 percent, but I'm quite certain we would</p> <p>23 have had a conversation about this.</p> <p>24 Q. Do you remember what you</p> <p>25 discussed?</p>	<p style="text-align: right;">Page 84</p> <p>1 C. HARIGEL</p> <p>2 A. Yes.</p> <p>3 Q. The content starting in the</p> <p>4 middle, it says, "Hi, Chris." It looks</p> <p>5 like this is a communication to you from</p> <p>6 someone named Naomi Giampaolo.</p> <p>7 A. Yes.</p> <p>8 Q. It says, "Joe Pasquarello has</p> <p>9 contacted the HR Service Center to dispute</p> <p>10 his second PC that was issued recently."</p> <p>11 Do you understand PC to mean</p> <p>12 progressive counseling?</p> <p>13 A. Yes.</p> <p>14 Q. At the end, do you see where</p> <p>15 it says, "Please review the attached and</p> <p>16 let me know how we can investigate these</p> <p>17 allegations of falsification, et cetera";</p> <p>18 do you see that?</p> <p>19 A. Yes.</p> <p>20 Q. If you look just below it in</p> <p>21 the white, do you see the next entry is</p> <p>22 dated August 4, 2021?</p> <p>23 A. Yes.</p> <p>24 Q. It looks like that is a</p> <p>25 communication from you in response saying,</p>
<p style="text-align: right;">Page 83</p> <p>1 C. HARIGEL</p> <p>2 A. I do not.</p> <p>3 MR. CLARK: Let's take a short</p> <p>4 break.</p> <p>5 (Whereupon, a recess was</p> <p>6 taken.)</p> <p>7 MS. SELIGER: Mark this as</p> <p>8 Plaintiff's Exhibit 7.</p> <p>9 (Whereupon, the aforementioned</p> <p>10 Human Resources Service Center Emails</p> <p>11 was marked as Plaintiff's Exhibit 7</p> <p>12 for identification as of this date</p> <p>13 by the Reporter.)</p> <p>14 Q. Chris, I am going to ask you to</p> <p>15 open up Exhibit 7.</p> <p>16 A. I have it open.</p> <p>17 Q. This looks like another record</p> <p>18 similar to what we saw before.</p> <p>19 Can you review it and let me</p> <p>20 know what you recognize this to be?</p> <p>21 A. It looks like to be email</p> <p>22 records from our HR Service Center.</p> <p>23 Q. Do you see the part in gray, it</p> <p>24 looks like that entry is dated August 2,</p> <p>25 2021; do you see that?</p>	<p style="text-align: right;">Page 85</p> <p>1 C. HARIGEL</p> <p>2 "Have conducted a review. Please let me</p> <p>3 know when you would like to discuss."</p> <p>4 Do you recall that being your</p> <p>5 communication?</p> <p>6 A. I don't recall it, but it</p> <p>7 appears correct, yes.</p> <p>8 Q. Do you recall what the</p> <p>9 investigator had sent you to review?</p> <p>10 MR. CLARK: Objection to the</p> <p>11 form. You can answer.</p> <p>12 A. I don't recall, but the prior</p> <p>13 exhibit was what I believe it to be.</p> <p>14 Q. So the complaint from Joe</p> <p>15 Pasquarello about his second progressive</p> <p>16 counseling?</p> <p>17 A. Yes.</p> <p>18 Q. What did you review or</p> <p>19 investigate before you responded</p> <p>20 to this person?</p> <p>21 A. I don't exactly recall what we</p> <p>22 reviewed at that time.</p> <p>23 Q. When you say we, I'm just</p> <p>24 asking about you.</p> <p>25 Do you recall, aside from</p>

<p style="text-align: right;">Page 86</p> <p>1 C. HARIGEL</p> <p>2 reading the complaint that Joe wrote,</p> <p>3 did you review any documents?</p> <p>4 A. I can't recall.</p> <p>5 Q. Did you speak to Mike Roche or</p> <p>6 anyone else about the complaint at that</p> <p>7 point?</p> <p>8 A. I don't recall, but I probably</p> <p>9 would have reviewed it with Patty.</p> <p>10 Q. Do you recall speaking about it</p> <p>11 or doing anything else as part of your</p> <p>12 review?</p> <p>13 A. I don't recall exactly what we</p> <p>14 did, no.</p> <p>15 Q. You are responding as we. I'm</p> <p>16 just asking about you.</p> <p>17 A. I don't recall exactly what I</p> <p>18 did.</p> <p>19 Q. Did you support Mike Roche in</p> <p>20 issuing the second progressive counseling?</p> <p>21 A. My support was not required to</p> <p>22 issue this counseling.</p> <p>23 Q. Did you support his decision to</p> <p>24 issue the second progressive counseling?</p> <p>25 A. I think his decision was</p>	<p style="text-align: right;">Page 88</p> <p>1 C. HARIGEL</p> <p>2 reporting to you about Joe's performance?</p> <p>3 A. No set frequency.</p> <p>4 Q. You testified earlier about how</p> <p>5 frequently you interacted with Bob.</p> <p>6 Were all of those interactions</p> <p>7 concerning Joe Pasquarello's performance?</p> <p>8 A. No.</p> <p>9 Q. Would you say then, and</p> <p>10 I don't recall the number of times</p> <p>11 you described meeting with Bob Shaffer,</p> <p>12 interacting with him, but your discussions</p> <p>13 with him would have been fewer than that?</p> <p>14 MR. CLARK: Objection to the</p> <p>15 form.</p> <p>16 A. Yes.</p> <p>17 Q. You testified earlier</p> <p>18 that Mike Roche showed you the first</p> <p>19 progressive counseling and PIP prior to</p> <p>20 issuing it to Joe Pasquarello; is that</p> <p>21 correct?</p> <p>22 A. Yes, I believe I was copied on</p> <p>23 it.</p> <p>24 Q. Did you support Mike Roche in</p> <p>25 issuing the first progressive counseling?</p>
<p style="text-align: right;">Page 87</p> <p>1 C. HARIGEL</p> <p>2 warranted, yes.</p> <p>3 Q. Based on what?</p> <p>4 A. Based on him not hitting the</p> <p>5 elements of his performance improvement</p> <p>6 plan.</p> <p>7 Q. Based on the two items</p> <p>8 identified in the second progressive</p> <p>9 counseling, which were two failures to</p> <p>10 meet his PIP requirements; is that what</p> <p>11 you are saying?</p> <p>12 A. Correct, yes.</p> <p>13 Q. Was that based on your own</p> <p>14 personal knowledge of Joe not meeting</p> <p>15 those requirements?</p> <p>16 A. No.</p> <p>17 MR. CLARK: Objection to the</p> <p>18 form.</p> <p>19 Q. Was it based on what you had</p> <p>20 been informed about his performance?</p> <p>21 A. Yes.</p> <p>22 Q. Aside from Mike Roche, who was</p> <p>23 informing you about Joe's performance?</p> <p>24 A. Bob Shaffer at times.</p> <p>25 Q. How frequently was Bob Shaffer</p>	<p style="text-align: right;">Page 89</p> <p>1 C. HARIGEL</p> <p>2 A. My support was not required for</p> <p>3 this submission.</p> <p>4 Q. Did you support Mike Roche's</p> <p>5 decision to issue the first progressive</p> <p>6 counseling?</p> <p>7 A. Yes.</p> <p>8 Q. Did you support Mike's decision</p> <p>9 to issue the performance improvement plan?</p> <p>10 A. Again, my support was not</p> <p>11 required for him to issue that performance</p> <p>12 improvement plan.</p> <p>13 Q. But did you support his</p> <p>14 decision to do so?</p> <p>15 A. Yes.</p> <p>16 Q. Again, was that based on your</p> <p>17 personal knowledge of Joe's performance?</p> <p>18 A. No.</p> <p>19 MS. SELIGER: Mark this as</p> <p>20 Plaintiff's Exhibit 8.</p> <p>21 (Whereupon, the aforementioned</p> <p>22 Human Resources Investigation</p> <p>23 Document was marked as Plaintiff's</p> <p>24 Exhibit 8 for identification as of</p> <p>25 this date by the Reporter.)</p>

<p style="text-align: right;">Page 90</p> <p>1 C. HARIGEL</p> <p>2 Q. Let me know when you have the</p> <p>3 document up and let me know when you have</p> <p>4 had a chance to review it.</p> <p>5 A. Okay, I reviewed it.</p> <p>6 Q. Can you tell me what this</p> <p>7 document appears to be to you?</p> <p>8 A. The investigation from a</p> <p>9 complaint that Joe submitted.</p> <p>10 Q. It looks like this part of</p> <p>11 the investigation record is dated August</p> <p>12 4th.</p> <p>13 Do you see at the top where it</p> <p>14 says, "Submitter Full Name," and it looks</p> <p>15 like Naomi Giampaolo submitted this part</p> <p>16 of the record?</p> <p>17 A. Yes.</p> <p>18 Q. Does that look correct to you?</p> <p>19 A. Yes.</p> <p>20 Q. Over by audit message at the</p> <p>21 top, it says, "Spoke with RDO Chris Harigel</p> <p>22 about Joe's performance PC's and</p> <p>23 background."</p> <p>24 What does RDO stand for?</p> <p>25 A. That is a title in Crothall</p>	<p style="text-align: right;">Page 92</p> <p>1 C. HARIGEL</p> <p>2 A. Yes.</p> <p>3 Q. That was decided among you,</p> <p>4 Mike Roche and Bob Shaffer?</p> <p>5 A. Yes.</p> <p>6 Q. The part of the sentence</p> <p>7 saying, "but chose to work with him through</p> <p>8 coaching," were you saying that Mike Roche</p> <p>9 and Bob Shaffer chose to work with Joe</p> <p>10 through coaching?</p> <p>11 A. Yes, all three of us chose to</p> <p>12 work with Joe through coaching.</p> <p>13 Q. As far as you know, is there</p> <p>14 any documentation of the coaching that</p> <p>15 occurred?</p> <p>16 A. I'm not aware.</p> <p>17 Q. I think you may have covered</p> <p>18 this already, but in what area was Joe</p> <p>19 meant to improve at that time?</p> <p>20 A. There were issues with him</p> <p>21 following our procedures and properly</p> <p>22 closing out and having all of his required</p> <p>23 documentation in our systems on time.</p> <p>24 Q. Do you see later, I would</p> <p>25 say it is a third of the way down, do</p>
<p style="text-align: right;">Page 91</p> <p>1 C. HARIGEL</p> <p>2 Healthcare that I held years and years</p> <p>3 ago.</p> <p>4 Q. Is she mistakenly referring to</p> <p>5 you by that title?</p> <p>6 A. Yes.</p> <p>7 Q. Aside from that inaccuracy,</p> <p>8 does this look like an accurate account</p> <p>9 of what you shared with Naomi Giampaolo?</p> <p>10 A. Yes.</p> <p>11 Q. In the second sentence of her</p> <p>12 account, it says, "In December 2020, they</p> <p>13 were preparing to issue a performance PC</p> <p>14 to Joe, but chose to work with him through</p> <p>15 coaching."</p> <p>16 Who is they?</p> <p>17 A. They in the first sentence</p> <p>18 would have been Mike Roche going to issue</p> <p>19 a performance counsel. They who chose to</p> <p>20 work with him would have been Bob Shaffer</p> <p>21 and myself.</p> <p>22 Q. At that point in time, in</p> <p>23 December of 2020, Joe Pasquarello was not,</p> <p>24 in fact, issued a progressive counseling;</p> <p>25 is that true?</p>	<p style="text-align: right;">Page 93</p> <p>1 C. HARIGEL</p> <p>2 you see where it's written, "Joe filed a</p> <p>3 lawsuit against Crothall, case pending,</p> <p>4 then contacted the HRSC to dispute the</p> <p>5 second PC"; do you see that?</p> <p>6 A. I do.</p> <p>7 Q. Are you aware that this lawsuit</p> <p>8 was filed in October of 2021?</p> <p>9 MR. CLARK: Objection to the</p> <p>10 form. You can answer.</p> <p>11 A. I am not.</p> <p>12 Q. Why did you believe that Joe</p> <p>13 had filed a lawsuit as of August 4, 2021?</p> <p>14 MR. CLARK: Objection to the</p> <p>15 form. You can answer.</p> <p>16 A. I don't believe those are my</p> <p>17 words.</p> <p>18 Q. At this point in time did you</p> <p>19 mention Joe's lawsuit to the HR person,</p> <p>20 Naomi Giampaolo?</p> <p>21 A. I don't recall.</p> <p>22 Q. A little lower down, it says, I</p> <p>23 would say it is a third of the way up from</p> <p>24 the bottom, it says, "Prior to Joe, they</p> <p>25 had one person doing the entire job."</p>

<p style="text-align: right;">Page 94</p> <p>1 C. HARIGEL</p> <p>2 Do you see that?</p> <p>3 A. I do.</p> <p>4 Q. Is that accurate?</p> <p>5 A. Not prior to Joe, no.</p> <p>6 Q. Was there any time when one</p> <p>7 person managed all the requirements of</p> <p>8 the Mount Sinai Hospital fire safety</p> <p>9 department?</p> <p>10 A. Yes.</p> <p>11 Q. When was that?</p> <p>12 A. When we first started in May of</p> <p>13 2013.</p> <p>14 Q. How long did that last?</p> <p>15 A. I don't recall exactly.</p> <p>16 Q. Was the department always</p> <p>17 intended to be a one-person job?</p> <p>18 MR. CLARK: Objection to the</p> <p>19 form.</p> <p>20 A. It is not a department,</p> <p>21 it's an area in the facilities management</p> <p>22 department, so I can't fully answer that</p> <p>23 question.</p> <p>24 Q. Is it your understanding that</p> <p>25 all of fire safety for Mount Sinai Hospital</p>	<p style="text-align: right;">Page 96</p> <p>1 C. HARIGEL</p> <p>2 directly after Bob Shaffer was a director</p> <p>3 of fire safety. He stayed in the role for</p> <p>4 approximately eighteen months, I believe.</p> <p>5 When he left, we recruited for a director</p> <p>6 and we could not find one, so we created</p> <p>7 two assistant directors in that role.</p> <p>8 Q. So you created two assistant</p> <p>9 directors to lead fire safety back in</p> <p>10 what year?</p> <p>11 A. It would have been</p> <p>12 approximately 2015 or 2016.</p> <p>13 Q. So what are the three positions</p> <p>14 referred to here?</p> <p>15 A. We also had a fire safety</p> <p>16 supervisor.</p> <p>17 Q. At least starting from 2015 or</p> <p>18 2016, there were three positions in fire</p> <p>19 safety at Mount Sinai Hospital?</p> <p>20 MR. CLARK: Objection to the</p> <p>21 form. You can answer.</p> <p>22 A. I cannot say if they were</p> <p>23 always filled at all times, so I don't</p> <p>24 know if there were three people in each</p> <p>25 role.</p>
<p style="text-align: right;">Page 95</p> <p>1 C. HARIGEL</p> <p>2 is a one-person job?</p> <p>3 MR. CLARK: Objection to the</p> <p>4 form.</p> <p>5 A. It can be, yes.</p> <p>6 Q. Aside from when it started, I</p> <p>7 think you said in 2013, has it ever been</p> <p>8 staffed by just one person?</p> <p>9 MR. CLARK: Objection to the</p> <p>10 form. You can answer.</p> <p>11 A. Not that I can recall.</p> <p>12 Q. After it says, "Prior to Joe,</p> <p>13 they had one person doing the entire</p> <p>14 job" -- actually, I'm going to stop</p> <p>15 there.</p> <p>16 That statement, is that a</p> <p>17 statement you made to Naomi Giampaolo?</p> <p>18 A. No, I wouldn't believe so.</p> <p>19 Q. In the next sentence where it</p> <p>20 says, "When that person left, they could</p> <p>21 not find anyone at that level and created</p> <p>22 a team approach, the three positions."</p> <p>23 Can you tell me who is being</p> <p>24 referred to as that person who left?</p> <p>25 A. The director that came</p>	<p style="text-align: right;">Page 97</p> <p>1 C. HARIGEL</p> <p>2 Q. But at least starting at that</p> <p>3 point, there was more than one person</p> <p>4 there?</p> <p>5 A. Yes.</p> <p>6 Q. Is this information that you</p> <p>7 shared with this HR person?</p> <p>8 A. I would assume, based on what</p> <p>9 is in those notes, that some of that came</p> <p>10 from me, yes.</p> <p>11 Q. Is the implication here that</p> <p>12 you were discussing the years 2013 to</p> <p>13 either 2015 or 2016?</p> <p>14 MR. CLARK: Objection to the</p> <p>15 form. You can answer.</p> <p>16 A. I would assume that I went over</p> <p>17 the history of the fire safety area at that</p> <p>18 account since our inception in 2013.</p> <p>19 Q. Then it says, if you look at</p> <p>20 the next sentence after the parenthetical,</p> <p>21 it says, "When the manager resigned, she</p> <p>22 had positive things to say about</p> <p>23 leadership."</p> <p>24 Which manager is being referred</p> <p>25 to there?</p>

25 (Pages 94 - 97)

<p style="text-align: right;">Page 98</p> <p>1 C. HARIGEL</p> <p>2 A. I can't recall who I was</p> <p>3 referring to, but if it was a she, the</p> <p>4 only she that was in fire safety was</p> <p>5 Omelfi Garcia.</p> <p>6 Q. Was Omelfi Garcia in fire</p> <p>7 safety from 2015 or 2016 all the way</p> <p>8 through the time of this record?</p> <p>9 A. No.</p> <p>10 Q. Do you know what positive</p> <p>11 things Omelfi Garcia had to say about</p> <p>12 which member of leadership?</p> <p>13 A. Omelfi Garcia worked directly</p> <p>14 for Mike Roche for several years. She had</p> <p>15 very positive things to say about Michael</p> <p>16 and his leadership style.</p> <p>17 Q. Didn't she also work for Joe</p> <p>18 Pasquarello?</p> <p>19 A. Yes, for a very brief period.</p> <p>20 Q. The positive things she said</p> <p>21 about leadership, what were you referring</p> <p>22 to?</p> <p>23 A. She made a comment about</p> <p>24 Michael Roche specifically and his</p> <p>25 leadership style and supportive nature.</p>	<p style="text-align: right;">Page 100</p> <p>1 C. HARIGEL</p> <p>2 MR. CLARK: Objection to the</p> <p>3 form. You can answer.</p> <p>4 A. I am assuming that yes, it</p> <p>5 is a record of my conversation and maybe</p> <p>6 the manager who was Ron and the supervisor</p> <p>7 who was Omelfi were just mixed up in how</p> <p>8 the document came out.</p> <p>9 Q. So it's possible this person</p> <p>10 recorded Omelfi as manager and Ron as a</p> <p>11 supervisor when it may have been the</p> <p>12 opposite?</p> <p>13 A. Yes.</p> <p>14 Q. Let's look again at Exhibit 13.</p> <p>15 Let me know when you have it in front of</p> <p>16 you.</p> <p>17 A. I have it in front of me.</p> <p>18 Q. Do you see the section</p> <p>19 "Detailed account of incident resulting</p> <p>20 in conference"?</p> <p>21 A. Yes.</p> <p>22 Q. I'm looking back at the</p> <p>23 paragraph with the number 1.</p> <p>24 A. I do.</p> <p>25 Q. It says, "Failure to uphold</p>
<p style="text-align: right;">Page 99</p> <p>1 C. HARIGEL</p> <p>2 Q. When was that comment made?</p> <p>3 A. During her exit interview.</p> <p>4 Q. Is there documentation of that</p> <p>5 exit interview?</p> <p>6 A. Yes.</p> <p>7 Q. How do you know that?</p> <p>8 A. Because I reviewed it with</p> <p>9 Patty.</p> <p>10 MS. SELIGER: That is</p> <p>11 information that we also requested</p> <p>12 and that was not produced.</p> <p>13 Q. Do you see where it says, "The</p> <p>14 supervisor also left, so currently Joe is</p> <p>15 the sole fire safety person"?</p> <p>16 A. Yes.</p> <p>17 Q. Are you referring to Ron</p> <p>18 Kanterman then as the supervisor who left?</p> <p>19 A. Again, I didn't write that so I</p> <p>20 don't know what the person was referring</p> <p>21 to.</p> <p>22 Q. This appears to be a record of</p> <p>23 this person's conversation with you.</p> <p>24 Do you recall if this was part</p> <p>25 of your conversation with her?</p>	<p style="text-align: right;">Page 101</p> <p>1 C. HARIGEL</p> <p>2 the requirements of improvement plan.</p> <p>3 The first item in the plan states "Timely</p> <p>4 completion and closing of all preventative</p> <p>5 maintenance tasks completed by a vendor</p> <p>6 or in-house fire safety staff." Then</p> <p>7 it says, "Measurement: PM's are to be</p> <p>8 completed and closed in TeamOps by the</p> <p>9 25th of the month,' as of June 28, 2021.</p> <p>10 Work order number 503212 remains issued</p> <p>11 and opened after the 25th of June."</p> <p>12 Do you see that?</p> <p>13 A. Yes.</p> <p>14 Q. I'm going to ask you to scroll</p> <p>15 down to the second page of this exhibit.</p> <p>16 Do you see at the top where it</p> <p>17 says "Work Order" and then it says numbers,</p> <p>18 "48007-503212"?</p> <p>19 A. Yes.</p> <p>20 Q. Is this the work order</p> <p>21 referenced in the progressive counseling</p> <p>22 we were just looking at?</p> <p>23 A. It does appear to be, yes.</p> <p>24 Q. Do you see what it says towards</p> <p>25 the left, a little bit down, "Reason for</p>

<p style="text-align: right;">Page 102</p> <p>1 C. HARIGEL</p> <p>2 the work order"?</p> <p>3 A. Yes.</p> <p>4 Q. Do you see it says, "Dry</p> <p>5 sprinkler pump annual PM"?</p> <p>6 A. Yes.</p> <p>7 Q. PM I'm assuming is preventive</p> <p>8 measure?</p> <p>9 A. Preventive maintenance.</p> <p>10 Q. Just above that, do you see</p> <p>11 that it states when the last preventive</p> <p>12 maintenance was conducted?</p> <p>13 A. Yes.</p> <p>14 Q. Do you see it says March 25,</p> <p>15 2021?</p> <p>16 A. Yes.</p> <p>17 Q. Are annual preventive</p> <p>18 maintenance actions generally taken</p> <p>19 on an annual basis?</p> <p>20 A. Yes.</p> <p>21 Q. Isn't it true that an annual</p> <p>22 test that was conducted on March 25th</p> <p>23 of 2021 would not be due again until</p> <p>24 approximately March 25th of 2022?</p> <p>25 MR. CLARK: Objection to the</p>	<p style="text-align: right;">Page 104</p> <p>1 C. HARIGEL</p> <p>2 A. Yes.</p> <p>3 Q. I would like you to look at the</p> <p>4 bottom of the third page of this exhibit.</p> <p>5 Do you see where it says,</p> <p>6 "Assigned" and then it has the date</p> <p>7 6/30/2021 or June 30, 2021?</p> <p>8 A. Yes.</p> <p>9 Q. It looks like this work order</p> <p>10 was assigned to three people on June 30,</p> <p>11 2021; is that correct?</p> <p>12 MR. CLARK: Objection to the</p> <p>13 form. You can answer.</p> <p>14 A. No, it wouldn't have been</p> <p>15 assigned on June 30, 2021.</p> <p>16 Q. So what does that mean there</p> <p>17 that it was assigned on June 30th of 2021?</p> <p>18 A. That's a target date for</p> <p>19 closure. They printed this work order</p> <p>20 on 6/28/2021, so it was assigned before</p> <p>21 that date.</p> <p>22 Q. So it was assigned to be</p> <p>23 completed by June 30th of 2021?</p> <p>24 A. That's a target date generated</p> <p>25 by the system.</p>
<p style="text-align: right;">Page 103</p> <p>1 C. HARIGEL</p> <p>2 form. You can answer.</p> <p>3 A. Yes.</p> <p>4 Q. Isn't it true this preventive</p> <p>5 maintenance was not actually due in June</p> <p>6 of 2021?</p> <p>7 MR. CLARK: Objection to the</p> <p>8 form. You can answer.</p> <p>9 A. I would have to read through</p> <p>10 every item that is on the task list to</p> <p>11 ensure that none of the tasks listed on</p> <p>12 there are more frequent, but if it was</p> <p>13 completed in March, then it would not</p> <p>14 be due until March of the next year.</p> <p>15 Q. Did you go over this work order</p> <p>16 in detail when you spoke to the HR person</p> <p>17 investigating Joe's complaint?</p> <p>18 A. I do not recall.</p> <p>19 Q. Do you recall ever going over</p> <p>20 this work order?</p> <p>21 A. I do not recall.</p> <p>22 Q. But you did support the issuing</p> <p>23 or you supported Mike's decision to issue a</p> <p>24 progressive counseling based on his failure</p> <p>25 with respect to this work order?</p>	<p style="text-align: right;">Page 105</p> <p>1 C. HARIGEL</p> <p>2 Q. I see up at the top of page 2,</p> <p>3 it says, "Target 6/30/2021."</p> <p>4 A. Correct.</p> <p>5 Q. So both target and assigned</p> <p>6 means the same thing?</p> <p>7 A. No.</p> <p>8 Q. Can you help me understand the</p> <p>9 difference?</p> <p>10 A. Do you see the first</p> <p>11 highlighted requested, 5/31/2021?</p> <p>12 Q. Yes.</p> <p>13 A. That is when the work order</p> <p>14 would have been assigned with a target date</p> <p>15 for completion of 6/30/2021, auto-generated</p> <p>16 by the system.</p> <p>17 Q. At the bottom, what does the</p> <p>18 assigned mean?</p> <p>19 A. Those are the individuals who</p> <p>20 that piece of equipment is assigned to in</p> <p>21 the system.</p> <p>22 Q. Is there a reason that Joe</p> <p>23 Pasquarello had to have this closed prior</p> <p>24 to the target date?</p> <p>25 A. For one, it was part of the</p>

27 (Pages 102 - 105)

<p style="text-align: right;">Page 106</p> <p>1 C. HARIGEL</p> <p>2 performance improvement plan generated by</p> <p>3 Mike Roche and the second reason, which can</p> <p>4 be more critical, is dates -- certain tests</p> <p>5 have dates for the inspections that they</p> <p>6 have to fall within, that usually our work</p> <p>7 order system will not know exactly. So it</p> <p>8 can be -- that can be a potential for the</p> <p>9 reason.</p> <p>10 Q. As far as we know, the last</p> <p>11 preventive maintenance with respect to the</p> <p>12 dry sprinkler pump annual PM was conducted</p> <p>13 in March of 2021?</p> <p>14 MR. CLARK: Objection to the</p> <p>15 form.</p> <p>16 A. Based on what I see, yes, I</p> <p>17 would agree to that.</p> <p>18 MS. SELIGER: Mark this as</p> <p>19 Plaintiff's Exhibit 9.</p> <p>20 (Whereupon, the aforementioned</p> <p>21 Email was marked as Plaintiff's</p> <p>22 Exhibit 9 for identification as</p> <p>23 of this date by the Reporter.)</p> <p>24 Q. Let me know when you have it in</p> <p>25 front of you and when you have had a chance</p>	<p style="text-align: right;">Page 108</p> <p>1 C. HARIGEL</p> <p>2 safety; is that correct?</p> <p>3 A. Yes.</p> <p>4 Q. It looks as if you are</p> <p>5 responding to Joe's complaint about the</p> <p>6 hiring of Bernie Nunez as the new director</p> <p>7 of fire safety.</p> <p>8 Would you agree with that?</p> <p>9 A. Yes.</p> <p>10 Q. In the third paragraph,</p> <p>11 "The position was properly posted through</p> <p>12 recruiting. Joe was aware of this, as I</p> <p>13 believe Mike discussed it with him. You</p> <p>14 can confirm that with Mike."</p> <p>15 Is it your belief that Mike</p> <p>16 told Joe about this position?</p> <p>17 A. Based on reading what's there,</p> <p>18 yes. At the time, I would say yes.</p> <p>19 Q. Did you personally tell Joe</p> <p>20 that this position was being posted?</p> <p>21 A. No.</p> <p>22 Q. Did Mike tell you that he told</p> <p>23 Joe about this position being posted?</p> <p>24 A. I cannot recall.</p> <p>25 Q. Then the next paragraph, it is</p>
<p style="text-align: right;">Page 107</p> <p>1 C. HARIGEL</p> <p>2 to review it.</p> <p>3 A. I have.</p> <p>4 Q. Do you recognize this, at least</p> <p>5 at the top, as an email from you to Pat</p> <p>6 Lizarazo?</p> <p>7 A. Yes.</p> <p>8 Q. When did you find out that Mike</p> <p>9 Roche wanted to hire a new director of fire</p> <p>10 safety for Mount Sinai Hospital?</p> <p>11 A. I'm not exactly sure when we</p> <p>12 reviewed it.</p> <p>13 Q. But you did review with him, I</p> <p>14 guess, his desire for someone in that</p> <p>15 position?</p> <p>16 A. Yes.</p> <p>17 Q. Did you ever review with him</p> <p>18 the need to fill the manager positions</p> <p>19 left by Ron Kanterman and Omelfi Garcia?</p> <p>20 A. I don't know if I reviewed</p> <p>21 those specifically with him.</p> <p>22 Q. You don't recall if you did?</p> <p>23 A. No, I don't recall if I did.</p> <p>24 Q. But you do recall discussing</p> <p>25 the hiring of the new director of fire</p>	<p style="text-align: right;">Page 109</p> <p>1 C. HARIGEL</p> <p>2 one line, it says, "As you know, Ron had</p> <p>3 already submitted his resignation letter</p> <p>4 prior to the position being posted."</p> <p>5 Do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. Did you believe Bernie's</p> <p>8 position was going to be replacing</p> <p>9 Ron Kanterman's position?</p> <p>10 A. No.</p> <p>11 MR. CLARK: Objection to the</p> <p>12 form.</p> <p>13 A. No.</p> <p>14 Q. Isn't it true that Ron</p> <p>15 Kanterman was a manager reporting</p> <p>16 to Joe Pasquarello?</p> <p>17 A. Yes.</p> <p>18 Q. It appears you are implying</p> <p>19 here that Bernie is replacing Ron</p> <p>20 Kanterman; is that correct?</p> <p>21 MR. CLARK: Objection to the</p> <p>22 form. You can answer.</p> <p>23 A. No.</p> <p>24 Q. So what is the connection</p> <p>25 between Ron Kanterman resigning and</p>

<p style="text-align: right;">Page 110</p> <p>1 C. HARIGEL</p> <p>2 the posting of the director position?</p> <p>3 A. I believe this would have had</p> <p>4 to do with internal candidates applying</p> <p>5 for a position that's open.</p> <p>6 Q. Are you referring to the open</p> <p>7 manager position or an open director</p> <p>8 position?</p> <p>9 A. The open director position.</p> <p>10 Q. Again, Ron was not the</p> <p>11 director, so what is the connection between</p> <p>12 his resignation and candidates for the</p> <p>13 director position?</p> <p>14 MR. CLARK: Objection to the</p> <p>15 form. You can answer again.</p> <p>16 A. Ron would not be a candidate to</p> <p>17 apply for the director position.</p> <p>18 Q. Why is that?</p> <p>19 A. Because he had resigned.</p> <p>20 Q. Prior to the position being</p> <p>21 posted?</p> <p>22 A. Correct.</p> <p>23 Q. Who was the hiring manager for</p> <p>24 the director of fire safety position?</p> <p>25 A. Michael Roche.</p>	<p style="text-align: right;">Page 112</p> <p>1 C. HARIGEL</p> <p>2 Q. Verbal meaning oral?</p> <p>3 A. Yes.</p> <p>4 Q. You mentioned other internal</p> <p>5 candidates.</p> <p>6 Were there other applicants for</p> <p>7 the role of fire safety director?</p> <p>8 A. I do not believe anybody else</p> <p>9 applied for this position.</p> <p>10 Q. How do you know that?</p> <p>11 A. I don't know it. I said I do</p> <p>12 not believe there were any other</p> <p>13 candidates.</p> <p>14 Q. Based on what do you have that</p> <p>15 belief?</p> <p>16 A. In my recalling, I do not</p> <p>17 remember anybody else applying for the</p> <p>18 position.</p> <p>19 Q. Were you part of the hiring</p> <p>20 process?</p> <p>21 A. I was not.</p> <p>22 Q. If you look again at this</p> <p>23 exhibit, there's a paragraph that starts,</p> <p>24 "As far as education goes, Bernie is very</p> <p>25 qualified for the role."</p>
<p style="text-align: right;">Page 111</p> <p>1 C. HARIGEL</p> <p>2 Q. You said earlier, and it looks</p> <p>3 like you said it in this email, that Mike</p> <p>4 Roche did not recommend Bernie Nunez for</p> <p>5 the job of fire safety director.</p> <p>6 Can you repeat to me who did</p> <p>7 recommend him for this role?</p> <p>8 A. I recommended Bernie apply</p> <p>9 for the position. My recommendation was</p> <p>10 supported by Bob Shaffer. In the end,</p> <p>11 Mike Roche supported it, as he hired him.</p> <p>12 Q. Is there documentation of your</p> <p>13 recommendation of Bernie for this role?</p> <p>14 A. I can't recall if there's</p> <p>15 documents of this recommendation or</p> <p>16 if it was verbal.</p> <p>17 Q. Would you have communicated</p> <p>18 that to Mike Roche in an email?</p> <p>19 A. Again, I can't recall if I</p> <p>20 communicated it in writing or verbally.</p> <p>21 Q. When it was discussed with Bob</p> <p>22 Shaffer, was that a discussion done orally</p> <p>23 or in writing?</p> <p>24 A. Most likely it was a verbal</p> <p>25 discussion as well.</p>	<p style="text-align: right;">Page 113</p> <p>1 C. HARIGEL</p> <p>2 Do you see that?</p> <p>3 A. I do.</p> <p>4 Q. Then you say, "He likely has</p> <p>5 more credentials, NYC C of Fs than Joe</p> <p>6 does."</p> <p>7 Is that NYC certificates of</p> <p>8 fitness?</p> <p>9 A. That is correct.</p> <p>10 Q. What is a certificate of</p> <p>11 fitness?</p> <p>12 A. It is a certificate issued</p> <p>13 by the Fire Department of New York for</p> <p>14 competency in several areas around fire</p> <p>15 systems and components.</p> <p>16 Q. Based on what did you make that</p> <p>17 statement?</p> <p>18 A. I have reviewed both Bernie's</p> <p>19 resume and certificates and Joe's as well.</p> <p>20 Q. Which certificates does Bernie</p> <p>21 have that exceed Joe's?</p> <p>22 A. The main one is Bernie holds a</p> <p>23 certificate of fitness as a fire and life</p> <p>24 safety director and Joe does not.</p> <p>25 Q. What is that certificate?</p>

<p style="text-align: right;">Page 114</p> <p>1 C. HARIGEL</p> <p>2 A. It's a required certificate</p> <p>3 from the Fire Department of New York that</p> <p>4 certain staff members must possess when</p> <p>5 certain systems are installed in their</p> <p>6 building.</p> <p>7 Q. Does it have a particular name,</p> <p>8 other than certificate of fire and life</p> <p>9 safety director?</p> <p>10 A. It is a certificate of fitness</p> <p>11 as the fire and life safety director. It</p> <p>12 has a number, yes.</p> <p>13 Q. What does that certificate</p> <p>14 allow that person to do?</p> <p>15 A. It doesn't allow them to do</p> <p>16 anything. It is required when certain</p> <p>17 systems are in certain buildings.</p> <p>18 Q. Is that the primary credential</p> <p>19 that was considered when looking at Bernie</p> <p>20 as a candidate for this job?</p> <p>21 A. No.</p> <p>22 Q. What was the qualification that</p> <p>23 Bernie had that qualified him for this job?</p> <p>24 A. Bernie had been doing the job</p> <p>25 longer in the Mount Sinai Health System</p>	<p style="text-align: right;">Page 116</p> <p>1 C. HARIGEL</p> <p>2 A. Yes, I believe so.</p> <p>3 Q. How long has Matt Bond worked</p> <p>4 at Crothall?</p> <p>5 A. Between seven and eight years.</p> <p>6 Q. Do you know what other roles,</p> <p>7 if any, Matt Bond has held since he has</p> <p>8 been with Crothall?</p> <p>9 A. Yes.</p> <p>10 Q. Can you tell me what they were?</p> <p>11 A. Yes. He first came to us,</p> <p>12 I believe he was still a college student</p> <p>13 and he was an intern for us in fire</p> <p>14 safety because that was a requirement</p> <p>15 for his degree. He has held positions of</p> <p>16 supervisor, manager and assistant director</p> <p>17 in fire safety. He also held a role in</p> <p>18 engineering operations.</p> <p>19 Q. Isn't it true that Matt Bond</p> <p>20 was the assistant director of fire safety</p> <p>21 just prior to Joe Pasquarello being hired?</p> <p>22 A. I believe that's correct.</p> <p>23 Q. Isn't it true that from that</p> <p>24 role, he moved to a manager role in fire</p> <p>25 safety?</p>
<p style="text-align: right;">Page 115</p> <p>1 C. HARIGEL</p> <p>2 with Crothall. He had been performing</p> <p>3 extremely well, managing a program on his</p> <p>4 own, such to the fact that we expanded his</p> <p>5 responsibility probably six months prior</p> <p>6 to offering him this job, where he had</p> <p>7 multiple facilities that he had assistance</p> <p>8 for.</p> <p>9 Q. Where was he previous to</p> <p>10 becoming the director of fire safety at</p> <p>11 Mount Sinai Hospital?</p> <p>12 A. He was stationed at Mount Sinai</p> <p>13 Beth Israel.</p> <p>14 Q. How many buildings are in that</p> <p>15 campus or facility?</p> <p>16 A. Again, I testified earlier,</p> <p>17 I would say approximately six to eight.</p> <p>18 It's a transitioning campus, so buildings</p> <p>19 come in and go off, but at that time it</p> <p>20 was probably six to eight, maybe nine.</p> <p>21 Q. Do you know Matt Bond?</p> <p>22 A. I do.</p> <p>23 Q. You testified earlier that he</p> <p>24 is the current assistant director of fire</p> <p>25 safety; is that correct?</p>	<p style="text-align: right;">Page 117</p> <p>1 C. HARIGEL</p> <p>2 A. I believe it was titled</p> <p>3 manager. I believe Crothall's title</p> <p>4 is still assistant director.</p> <p>5 Q. What does that mean, his</p> <p>6 Crothall title was assistant director?</p> <p>7 A. Crothall has titles that we use</p> <p>8 in our hierarchy.</p> <p>9 Q. So he maintained his internal</p> <p>10 assistant director status, but his working</p> <p>11 title was manager; is that an accurate</p> <p>12 recap?</p> <p>13 A. Yes.</p> <p>14 Q. Why was he transitioned from</p> <p>15 assistant director to manager?</p> <p>16 A. I don't know the exact</p> <p>17 specifics of it. That was under, I</p> <p>18 believe, Mike at the time.</p> <p>19 Q. Isn't it true that subsequent</p> <p>20 to that manager role, he moved to</p> <p>21 engineering?</p> <p>22 A. Yes.</p> <p>23 Q. In that engineering role, he</p> <p>24 reported to Mike Roche directly?</p> <p>25 A. I don't believe he reported to</p>

<p style="text-align: right;">Page 118</p> <p>1 C. HARIGEL</p> <p>2 Mike Roche in that role.</p> <p>3 Q. Who do you believe he was</p> <p>4 reporting to?</p> <p>5 A. I don't recall, but I don't</p> <p>6 believe it was Mike Roche.</p> <p>7 Q. Do you have any guess as to who</p> <p>8 it could be within engineering?</p> <p>9 MR. CLARK: Objection to the</p> <p>10 form. Don't guess. I instruct the</p> <p>11 witness not to guess. Either he</p> <p>12 knows or he doesn't.</p> <p>13 A. I don't know exactly.</p> <p>14 Q. But you know he was in</p> <p>15 engineering and no longer in fire</p> <p>16 safety at some point?</p> <p>17 A. Yes.</p> <p>18 Q. Is it true that after that</p> <p>19 engineering role, he returned to fire</p> <p>20 safety as assistant director?</p> <p>21 A. Yes.</p> <p>22 Q. When did he make that</p> <p>23 transition?</p> <p>24 A. I don't know the exact timing.</p> <p>25 It would have been, I believe, late 2021.</p>	<p style="text-align: right;">Page 120</p> <p>1 C. HARIGEL</p> <p>2 Omelfi left fire safety in approximately</p> <p>3 March of 2021.</p> <p>4 Do you recall that Joe</p> <p>5 Pasquarello requested her role be</p> <p>6 refilled or replaced?</p> <p>7 A. I don't recall it, but I can</p> <p>8 fathom that he would request it, yes.</p> <p>9 Q. I believe you testified that</p> <p>10 her role was not actually replaced while</p> <p>11 Joe was still the assistant director; is</p> <p>12 that correct?</p> <p>13 A. I don't know if I testified to</p> <p>14 that, but if I did -- I don't know if it</p> <p>15 was replaced while Joe was still there,</p> <p>16 I don't.</p> <p>17 Q. We have discussed that Joe was</p> <p>18 the only person in fire safety at the end</p> <p>19 of his tenure with Crothall.</p> <p>20 Did another manager join before</p> <p>21 he left?</p> <p>22 MR. CLARK: Objection to the</p> <p>23 form. You can answer.</p> <p>24 A. Yes, Bernie joined before Joe</p> <p>25 left.</p>
<p style="text-align: right;">Page 119</p> <p>1 C. HARIGEL</p> <p>2 Q. Whose decision would that have</p> <p>3 been to move him to the assistant director</p> <p>4 position?</p> <p>5 A. His own.</p> <p>6 Q. He chose --</p> <p>7 A. He applied for an open</p> <p>8 position, we interviewed him and we</p> <p>9 moved. The decision was his to make</p> <p>10 to apply.</p> <p>11 Q. Whose decision was it to hire</p> <p>12 him in that role?</p> <p>13 A. I'm not sure who the hiring</p> <p>14 manager was for that. It may have been</p> <p>15 Bernie.</p> <p>16 Q. We spoke earlier about Omelfi</p> <p>17 Garcia.</p> <p>18 Isn't it true that when Matt</p> <p>19 Bond left fire safety, when he left his</p> <p>20 fire safety manager role, Omelfi Garcia</p> <p>21 joined fire safety to take over that role?</p> <p>22 A. I don't know if she backfilled</p> <p>23 his position, I couldn't speak to that, I</p> <p>24 don't know.</p> <p>25 Q. We discussed earlier that</p>	<p style="text-align: right;">Page 121</p> <p>1 C. HARIGEL</p> <p>2 Q. Are you saying that Bernie is a</p> <p>3 manager?</p> <p>4 MR. CLARK: Objection to the</p> <p>5 form.</p> <p>6 A. Your question was Joe was the</p> <p>7 only person in fire safety and he was not.</p> <p>8 Q. When did Bernie join fire</p> <p>9 safety?</p> <p>10 A. I don't have his actual</p> <p>11 effective date, but it would have been</p> <p>12 sometime in the summer of 2021.</p> <p>13 Q. Aside from Bernie, did anyone</p> <p>14 else join the fire safety department while</p> <p>15 Joe Pasquarello was still employed?</p> <p>16 MR. CLARK: Objection to the</p> <p>17 form.</p> <p>18 A. If you are referring to the</p> <p>19 end of his tenure, then I would say no.</p> <p>20 but during his tenure there were other</p> <p>21 employees.</p> <p>22 Q. I'm just talking about after</p> <p>23 Ron Kanterman left in June of 2021, aside</p> <p>24 from Bernie, did anyone else join the fire</p> <p>25 safety department of Mount Sinai Hospital?</p>

<p style="text-align: right;">Page 122</p> <p>1 C. HARIGEL</p> <p>2 A. Not to my knowledge.</p> <p>3 Q. Who is responsible for</p> <p>4 approving and issuing equipment to</p> <p>5 the fire safety department of Mount</p> <p>6 Sinai Hospital?</p> <p>7 A. Define equipment.</p> <p>8 Q. If equipment is needed by</p> <p>9 any leadership in fire safety, such as</p> <p>10 a director, an assistant director or a</p> <p>11 manager, who approves the issuing of that</p> <p>12 equipment?</p> <p>13 A. Mount Sinai has a purchasing</p> <p>14 policy that we follow as stewards of their</p> <p>15 financial resources.</p> <p>16 Q. If a department needs N95 masks</p> <p>17 or pencils, do they go through that</p> <p>18 process?</p> <p>19 A. Yes.</p> <p>20 Q. What is that process called?</p> <p>21 I missed what you said.</p> <p>22 A. We would follow their</p> <p>23 purchasing policy.</p> <p>24 Q. What is that purchasing policy?</p> <p>25 A. It's Mount Sinai's purchasing</p>	<p style="text-align: right;">Page 124</p> <p>1 C. HARIGEL</p> <p>2 process?</p> <p>3 MR. CLARK: Objection to the</p> <p>4 form.</p> <p>5 A. I don't know what process you</p> <p>6 are referring to.</p> <p>7 Q. If we have a director, an</p> <p>8 assistant director that needs some form of</p> <p>9 equipment, let's say a monitor, what would</p> <p>10 be the first thing that employee does to</p> <p>11 request it?</p> <p>12 A. As long as it wasn't something</p> <p>13 that IT would get involved in and need to</p> <p>14 authorize, they would submit a purchase</p> <p>15 requisition through the system.</p> <p>16 Q. What is that system?</p> <p>17 A. It's Mount Sinai's purchasing</p> <p>18 system.</p> <p>19 Q. Would they submit it to their</p> <p>20 supervisor?</p> <p>21 A. It depends on the size of the</p> <p>22 purchase. I'm not exactly sure anymore</p> <p>23 on the purchasing limits and the hierarchy,</p> <p>24 but there's approvals built into each item.</p> <p>25 Q. What does that mean, built in?</p>
<p style="text-align: right;">Page 123</p> <p>1 C. HARIGEL</p> <p>2 policy.</p> <p>3 Q. What does that process involve?</p> <p>4 A. Putting in a purchase</p> <p>5 requisition. Depending on what it is</p> <p>6 and how large it is, it would go through</p> <p>7 a specific process inside of Mount Sinai's</p> <p>8 purchasing queue to where it eventually</p> <p>9 would get a purchase order number issued</p> <p>10 to a vendor and then the purchase is made.</p> <p>11 Q. If a director or an assistant</p> <p>12 director needed pencils, would they</p> <p>13 initiate that process?</p> <p>14 A. Per your example, no. We</p> <p>15 maintain a supply of pencils and pens</p> <p>16 and paper in the department to handle</p> <p>17 those requests.</p> <p>18 Q. If there was something larger,</p> <p>19 like a computer screen or a monitor, would</p> <p>20 that go through that process?</p> <p>21 A. It depends. Computers go</p> <p>22 through IT and it's a different process</p> <p>23 versus a normal purchase order for supplies</p> <p>24 and equipment.</p> <p>25 Q. What is the first stage of that</p>	<p style="text-align: right;">Page 125</p> <p>1 C. HARIGEL</p> <p>2 A. A purchase requisition for</p> <p>3 zero to ten thousand dollars may require</p> <p>4 these three people to approve before it</p> <p>5 even leaves the department and goes to</p> <p>6 Mount Sinai purchasing. So it all depends</p> <p>7 on the size of the purchase and how Mount</p> <p>8 Sinai looks at each bucket and then it</p> <p>9 has an approval queue outside, all the</p> <p>10 way through Mount Sinai's sourcing for</p> <p>11 final approval.</p> <p>12 Q. So that director or assistant</p> <p>13 director would submit a request through</p> <p>14 Mount Sinai Hospital's process or their</p> <p>15 system that you just described?</p> <p>16 A. That is correct.</p> <p>17 Q. Are they required to go through</p> <p>18 their supervisor before doing that?</p> <p>19 A. I wouldn't say required, but</p> <p>20 if their supervisor was in their queue for</p> <p>21 approval, they would probably want to let</p> <p>22 them know they are putting this through</p> <p>23 so they would expect it.</p> <p>24 Q. Did the various divisions</p> <p>25 within facilities at Mount Sinai Hospital,</p>

<p style="text-align: right;">Page 126</p> <p>1 C. HARIGEL</p> <p>2 did they have any funds available to them</p> <p>3 to make more expedient purchases, smaller</p> <p>4 purchases?</p> <p>5 A. I don't understand your</p> <p>6 question.</p> <p>7 Q. Are there any purchases</p> <p>8 that are made by directors or assistant</p> <p>9 directors for their jobs that do not</p> <p>10 go through the Mount Sinai Hospital</p> <p>11 purchasing process?</p> <p>12 A. Not to my knowledge.</p> <p>13 Everything runs through their</p> <p>14 purchasing system for approval.</p> <p>15 Q. Are assistant directors and</p> <p>16 directors instructed on how to submit their</p> <p>17 requests through Mount Sinai Hospital's</p> <p>18 purchasing system?</p> <p>19 A. Yes.</p> <p>20 Q. Who instructs them on how to do</p> <p>21 that?</p> <p>22 A. The finance staff we have at</p> <p>23 Mount Sinai Hospital.</p> <p>24 Q. Is that part of their</p> <p>25 onboarding process?</p>	<p style="text-align: right;">Page 128</p> <p>1 C. HARIGEL</p> <p>2 A. They meaning the people in the</p> <p>3 actual department, managers, supervisors,</p> <p>4 coordinators all can make a purchase order.</p> <p>5 It still goes into the queue and follows</p> <p>6 Mount Sinai's process.</p> <p>7 Q. How is that different from the</p> <p>8 process we were just discussing a minute</p> <p>9 ago?</p> <p>10 MR. CLARK: Objection to the</p> <p>11 form.</p> <p>12 A. There is no difference, it is</p> <p>13 the same exact process we were discussing</p> <p>14 before.</p> <p>15 Q. So when you instructed Joe to</p> <p>16 do that, did he know what you were talking</p> <p>17 about? Did he respond that he knew about</p> <p>18 the Mount Sinai Hospital purchasing system?</p> <p>19 MR. CLARK: Objection to the</p> <p>20 form. You can answer.</p> <p>21 A. I don't exactly recall his</p> <p>22 answer.</p> <p>23 Q. Do you recall if he said he</p> <p>24 already tried that, the purchasing system?</p> <p>25 A. I know he said he made the</p>
<p style="text-align: right;">Page 127</p> <p>1 C. HARIGEL</p> <p>2 A. Yes.</p> <p>3 Q. Do you recall Joe Pasquarello</p> <p>4 speaking to you about wanting to buy</p> <p>5 equipment at some point during his</p> <p>6 tenure with Crothall?</p> <p>7 A. Yes.</p> <p>8 Q. Do you recall telling him to</p> <p>9 use something like a discretionary budget</p> <p>10 to get it done?</p> <p>11 MR. CLARK: Objection to the</p> <p>12 form. You can answer.</p> <p>13 A. I didn't say it in those words.</p> <p>14 Q. What words did you say?</p> <p>15 A. Each area has a department</p> <p>16 that is at their discretion to spend</p> <p>17 those funds. Everything still needs to</p> <p>18 be approved through its process, but they</p> <p>19 are arbiters or stewards of those funds</p> <p>20 and spend them on behalf of Mount Sinai.</p> <p>21 Again, everything gets approved by Mount</p> <p>22 Sinai. We don't issue a Mount Sinai</p> <p>23 purchase order, Mount Sinai does.</p> <p>24 Q. When you say they are the</p> <p>25 arbiters, who are you referring to?</p>	<p style="text-align: right;">Page 129</p> <p>1 C. HARIGEL</p> <p>2 request. I don't remember him saying</p> <p>3 he went through the purchasing system.</p> <p>4 Q. Who did he make the request to?</p> <p>5 A. I don't recall. I believe he</p> <p>6 said Mike Roche.</p> <p>7 MS. SELIGER: Mark this as</p> <p>8 Plaintiff's Exhibit 11.</p> <p>9 (Whereupon, the aforementioned</p> <p>10 Email was marked as Plaintiff's</p> <p>11 Exhibit 11 for identification as</p> <p>12 of this date by the Reporter.)</p> <p>13 Q. I am going to ask you to take a</p> <p>14 look at Exhibit 11. Let me know when you</p> <p>15 have had a chance to pull it up and also</p> <p>16 to review it.</p> <p>17 A. I have.</p> <p>18 Q. This looks like an email from</p> <p>19 Joe Pasquarello sent on February 22, 2021</p> <p>20 to you and then copied to Bob Shaffer,</p> <p>21 Mike Roche, John Barton, Ron Kanterman</p> <p>22 and Omelfi Garcia. Is that correct?</p> <p>23 A. Yes.</p> <p>24 Q. It says on the second</p> <p>25 line of the text of the email, it says,</p>

<p style="text-align: right;">Page 130</p> <p>1 C. HARIGEL</p> <p>2 "Thank you for coming in today. As per</p> <p>3 your instructions, here are the year to</p> <p>4 date fire safety statistics." Correct?</p> <p>5 A. Yes.</p> <p>6 Q. Do you recall having a meeting</p> <p>7 with Joe and possibly others related to</p> <p>8 the content of this email?</p> <p>9 MR. CLARK: Objection to the</p> <p>10 form. You can answer.</p> <p>11 A. Yes.</p> <p>12 Q. Joe seems to be providing</p> <p>13 statistics.</p> <p>14 Are these impairment</p> <p>15 statistics?</p> <p>16 A. Not all of them.</p> <p>17 Q. Can you explain what is an</p> <p>18 impairment in the context of fire safety?</p> <p>19 A. An impairment is when a system</p> <p>20 is either knowingly taken out of service</p> <p>21 or out of service due to a deficiency for</p> <p>22 a period of time. We would document that</p> <p>23 and follow a procedure.</p> <p>24 Q. Do you recall discussing</p> <p>25 impairments at a meeting that seemed</p>	<p style="text-align: right;">Page 132</p> <p>1 C. HARIGEL</p> <p>2 position discussed at this meeting?</p> <p>3 A. The responsibilities of an</p> <p>4 impairment coordinator were discussed</p> <p>5 and what those responsibilities would</p> <p>6 entail were discussed and that's why</p> <p>7 the description came out of it.</p> <p>8 Q. That's why what description</p> <p>9 came out of it?</p> <p>10 A. The description that fire</p> <p>11 safety was offering.</p> <p>12 Q. They were offering a job</p> <p>13 description based on what was discussed at</p> <p>14 the meeting, is that what you are saying?</p> <p>15 A. Yes.</p> <p>16 Q. Isn't it true that fire safety</p> <p>17 was handling a large number of impairments,</p> <p>18 particularly in the lead-up to the Joint</p> <p>19 Commission audit?</p> <p>20 MR. CLARK: Objection to the</p> <p>21 form.</p> <p>22 A. I don't believe the lead-up</p> <p>23 to Joint Commission has any bearing on</p> <p>24 impairments, so I can't answer that</p> <p>25 question in its form.</p>
<p style="text-align: right;">Page 131</p> <p>1 C. HARIGEL</p> <p>2 to occur on this day?</p> <p>3 MR. CLARK: Objection to the</p> <p>4 form.</p> <p>5 A. Yes.</p> <p>6 Q. Do you recall who attended that</p> <p>7 meeting?</p> <p>8 A. I believe everybody who was</p> <p>9 either sent this email or carbon copied</p> <p>10 on this email was in attendance. I also</p> <p>11 believe Ryan Nowicki may have attended,</p> <p>12 but I can't be a hundred percent sure.</p> <p>13 Q. Is it true that at this</p> <p>14 meeting, there was a discussion about</p> <p>15 an impairment coordinator position?</p> <p>16 A. I wouldn't say position, but</p> <p>17 the responsibilities of an impairment</p> <p>18 coordinator, yes.</p> <p>19 Q. Do you see in the second to</p> <p>20 last line of Joe's email in Exhibit 11</p> <p>21 where it says, "Fire safety can provide</p> <p>22 a job description for the position of</p> <p>23 impairment coordinator upon request"?</p> <p>24 A. Yes.</p> <p>25 Q. Was the impairment coordinator</p>	<p style="text-align: right;">Page 133</p> <p>1 C. HARIGEL</p> <p>2 Q. You don't believe preparing for</p> <p>3 the Joint Commission caused additional</p> <p>4 impairments to occur?</p> <p>5 A. Correct.</p> <p>6 Q. Why was this meeting called?</p> <p>7 A. I don't recall exactly.</p> <p>8 Q. Do you recall who called for</p> <p>9 the meeting?</p> <p>10 A. I believe Joe may have.</p> <p>11 Q. Isn't it true it was agreed</p> <p>12 that these responsibilities, as you are</p> <p>13 describing them, wasn't it agreed that</p> <p>14 they needed to be fulfilled?</p> <p>15 MR. CLARK: Objection to the</p> <p>16 form. You can answer.</p> <p>17 A. Yes, absolutely. The</p> <p>18 requirements of an impairment coordinator</p> <p>19 absolutely need to be fulfilled.</p> <p>20 Q. It seems clear that there was</p> <p>21 at least some discussion about this being</p> <p>22 a separate role; is that correct?</p> <p>23 MR. CLARK: Objection to the</p> <p>24 form.</p> <p>25 A. There was discussion about</p>

<p style="text-align: right;">Page 134</p> <p>1 C. HARIGEL</p> <p>2 placing these responsibilities with</p> <p>3 somebody, yes, correct.</p> <p>4 Q. Were you aware that Joe</p> <p>5 Pasquarello submitted a job description</p> <p>6 for the impairment coordinator the same</p> <p>7 day as this email was written?</p> <p>8 MR. CLARK: Objection to the</p> <p>9 form. You can answer.</p> <p>10 A. I can't recall that being</p> <p>11 submitted, no.</p> <p>12 Q. So you never saw the job</p> <p>13 description that Joe Pasquarello submitted</p> <p>14 for an impairment coordinator?</p> <p>15 MR. CLARK: Objection to the</p> <p>16 form.</p> <p>17 A. I didn't say that. I said I</p> <p>18 don't recall.</p> <p>19 Q. You don't recall seeing the job</p> <p>20 description, is that what you are saying?</p> <p>21 A. Yes.</p> <p>22 Q. Is it possible that you did see</p> <p>23 it?</p> <p>24 A. Potentially, yes.</p> <p>25 Q. Who would have given it to you?</p>	<p style="text-align: right;">Page 136</p> <p>1 C. HARIGEL</p> <p>2 Are you saying Joe Pasquarello</p> <p>3 said he and his staff were the impairment</p> <p>4 coordinators?</p> <p>5 A. Yes.</p> <p>6 Q. It seems here that he's</p> <p>7 asking for additional support with these</p> <p>8 responsibilities; is that not correct?</p> <p>9 MR. CLARK: Objection to the</p> <p>10 form. I'm not sure where we are</p> <p>11 looking.</p> <p>12 Q. We've discussed that there</p> <p>13 are impairment responsibilities that</p> <p>14 were discussed at this meeting. We've</p> <p>15 discussed that Joe Pasquarello drafted a</p> <p>16 job description for those responsibilities.</p> <p>17 Are you saying he also --</p> <p>18 I'm not sure what you are saying. Can</p> <p>19 you repeat what you are saying regarding</p> <p>20 whether or not any specific person was</p> <p>21 recommended to assist with the impairment</p> <p>22 responsibilities?</p> <p>23 MR. CLARK: Objection to the</p> <p>24 form. You can answer.</p> <p>25 A. Yes. I was in a meeting</p>
<p style="text-align: right;">Page 135</p> <p>1 C. HARIGEL</p> <p>2 MR. CLARK: Objection to the</p> <p>3 form. You can answer.</p> <p>4 A. It may have come directly from</p> <p>5 Joe, I don't know.</p> <p>6 Q. Do you recall taking any action</p> <p>7 to further address who would handle the</p> <p>8 responsibilities in that job description?</p> <p>9 A. No.</p> <p>10 Q. Do you recall whether</p> <p>11 discussing whether any particular person</p> <p>12 could take over the impairment coordinator</p> <p>13 responsibilities that were discussed?</p> <p>14 A. The responsibilities of</p> <p>15 impairment coordinator were discussed,</p> <p>16 yes.</p> <p>17 Q. Was anyone suggested as someone</p> <p>18 who could take on those responsibilities?</p> <p>19 A. Yes.</p> <p>20 Q. Who was suggested to do that?</p> <p>21 A. As per Joe Pasquarello,</p> <p>22 leadership in fire safety were the</p> <p>23 impairment coordinators for the</p> <p>24 facility.</p> <p>25 Q. I'm not sure I understand that.</p>	<p style="text-align: right;">Page 137</p> <p>1 C. HARIGEL</p> <p>2 with Joe when impairments came up and his</p> <p>3 response to who has impairment coordinator</p> <p>4 responsibility was to say that he and</p> <p>5 his management team in fire safety have</p> <p>6 responsibility for impairments. That's</p> <p>7 why I'm saying that.</p> <p>8 Q. Is that the meeting that</p> <p>9 happened on February 22, 2021?</p> <p>10 A. No, it is not.</p> <p>11 Q. There was a second meeting</p> <p>12 you had with Joe about impairment</p> <p>13 responsibilities?</p> <p>14 A. He had a safety meeting with</p> <p>15 his union hourly staff that I happened to</p> <p>16 attend and this was an item on the agenda.</p> <p>17 Q. When was that meeting?</p> <p>18 A. I can't recall exactly.</p> <p>19 Q. Was it before February 22,</p> <p>20 2021?</p> <p>21 A. I'm not going to guess, I don't</p> <p>22 know.</p> <p>23 Q. I understand that you attended</p> <p>24 a meeting at some point, we don't know</p> <p>25 when, where he said he was handling those</p>

<p style="text-align: right;">Page 138</p> <p>1 C. HARIGEL</p> <p>2 responsibilities, but is it not the case</p> <p>3 that he was requesting support on those</p> <p>4 responsibilities at this February 22nd</p> <p>5 meeting?</p> <p>6 MR. CLARK: Objection to form.</p> <p>7 A. I'm not sure if he was</p> <p>8 requesting support or that these</p> <p>9 responsibilities be issued to one</p> <p>10 single person, I'm not exactly sure</p> <p>11 what his full request was.</p> <p>12 Q. What else do you remember from</p> <p>13 that meeting?</p> <p>14 A. Which meeting are you referring</p> <p>15 to?</p> <p>16 Q. The meeting that occurred on</p> <p>17 February 22, 2021.</p> <p>18 A. I don't recall anything else</p> <p>19 other than this email jogging my memory</p> <p>20 of that meeting.</p> <p>21 Q. Did anyone take notes of that</p> <p>22 meeting?</p> <p>23 A. I don't believe so.</p> <p>24 MS. SELIGER: Mark this as</p> <p>25 Plaintiff's Exhibit 10.</p>	<p style="text-align: right;">Page 140</p> <p>1 C. HARIGEL</p> <p>2 that correct?</p> <p>3 A. Yes.</p> <p>4 Q. So at least Bob Shaffer</p> <p>5 seems to recall a discussion about Matt</p> <p>6 Bond filling an impairment coordinator</p> <p>7 position.</p> <p>8 Do you now remember any</p> <p>9 discussions to that effect?</p> <p>10 MR. CLARK: Objection to the</p> <p>11 form. You can answer.</p> <p>12 A. Again, we discussed</p> <p>13 transitioning those responsibilities</p> <p>14 to one person. Matt Bond was in an</p> <p>15 existing role and we thought the role</p> <p>16 he was in, he could potentially assist</p> <p>17 with the impairments.</p> <p>18 Q. When did that discussion take</p> <p>19 place?</p> <p>20 A. At the meeting.</p> <p>21 Q. So now you recall that Matt</p> <p>22 Bond was a specific person mentioned to</p> <p>23 take over those responsibilities?</p> <p>24 MR. CLARK: Objection to the</p> <p>25 form. You can answer.</p>
<p style="text-align: right;">Page 139</p> <p>1 C. HARIGEL</p> <p>2 (Whereupon, the aforementioned</p> <p>3 Emails were marked as Plaintiff's</p> <p>4 Exhibit 10 for identification as of</p> <p>5 this date by the Reporter.)</p> <p>6 Q. Let me know when you have had a</p> <p>7 chance to pull it up and review it.</p> <p>8 A. Okay.</p> <p>9 Q. Do you see in the middle</p> <p>10 of the first page, just under that yellow</p> <p>11 line that says, "Use caution," do you see</p> <p>12 a line that says, "Weren't we talking about</p> <p>13 transitioning Matt Bond into the impairment</p> <p>14 coordinator position"?</p> <p>15 A. Yes.</p> <p>16 Q. That is a communication from</p> <p>17 Bob Shaffer on March 26th to you, Mike</p> <p>18 Roche, Joe Pasquarello and Ryan Nowicki;</p> <p>19 is that correct?</p> <p>20 A. Yes.</p> <p>21 Q. If you scroll up to the top,</p> <p>22 do you see Mike Roche's response where</p> <p>23 he says, "Yes, and I still think that can</p> <p>24 work, but it will not happen before TJC,"</p> <p>25 which I think is The Joint Commission; is</p>	<p style="text-align: right;">Page 141</p> <p>1 C. HARIGEL</p> <p>2 A. I don't recall being told</p> <p>3 that a specific person was asked for</p> <p>4 that position. Matt Bond had a role,</p> <p>5 we thought he could do some of these</p> <p>6 extra duties as well, but that was us</p> <p>7 in a room discussing.</p> <p>8 Q. Us in a room discussing on</p> <p>9 February 22nd, is that what you are</p> <p>10 saying?</p> <p>11 A. Yes.</p> <p>12 Q. What was Matt Bond's role at</p> <p>13 the time?</p> <p>14 A. He was an engineering manager.</p> <p>15 Q. Who was he reporting to at the</p> <p>16 time?</p> <p>17 A. The same answer as the last</p> <p>18 time you asked, I don't recall, I don't</p> <p>19 know.</p> <p>20 Q. What were his responsibilities</p> <p>21 as an engineering manager?</p> <p>22 A. He oversaw our work center.</p> <p>23 Q. Is the work center the center</p> <p>24 that, I guess, addresses or takes in work</p> <p>25 orders?</p>

Page 142

1 C. HARIGEL

2 A. That's correct, yes.

3 Q. Who had been doing that prior

4 to him?

5 A. Kim Brown.

6 MS. SELIGER: I have no further

7 questions.

8 MR. CLARK: I have no

9 questions.

10 For the record, we are

11 requesting a copy of the transcript

12 and we are also requesting on

13 Mr. Harigel's behalf the opportunity

14 to review and revise the transcript.

15 (Whereupon, at 1:25 p.m., the

16 Examination of this witness was

17 concluded.)

18 ° ° ° °

19

20

21

22

23

24

25

Page 143

1 C. HARIGEL

2 D E C L A R A T I O N

3

4 I hereby certify that having been

5 first duly sworn to testify to the truth, I

6 gave the above testimony.

7

8 I FURTHER CERTIFY that the foregoing

9 transcript is a true and correct transcript

10 of the testimony given by me at the time

11 and place specified hereinbefore.

12

13

14

15 _____

16 CHRISTOPHER HARIGEL

17

18 Subscribed and sworn to before me

19 this ____ day of _____ 20 ____.

20

21

22 _____

23 NOTARY PUBLIC

24

25

Page 144

1 C. HARIGEL

2 E X H I B I T S

3

4 PLAINTIFF'S EXHIBITS

5

6 EXHIBIT	EXHIBIT	PAGE
7 NUMBER	DESCRIPTION	
8 1	Complaint	25
9 2	Org Charts	44
10 3	Human Resources Document	61
11 5	Associate Counseling	
12	Report	75
13 13	Associate Counseling	
14	Report	78
15 6	Emails	80
16 7	Human Resources Service	
17	Center Emails	83
18 8	Investigation Document	89
19 9	Email	106
20 11	Email	129
21 10	Emails	138
22		
23		
24	(Exhibits retained by Counsel.)	
25		

Page 145


1 C. HARIGEL

2 I N D E X

3

4 EXAMINATION BY	PAGE
5 MS. SELIGER	4
6	
7	
8 INFORMATION AND/OR DOCUMENTS REQUESTED	PAGE
9 INFORMATION AND/OR DOCUMENTS	
10 Production of regulatory	
11 compliance documents	36
12 Production of emails to	
13 Mr. Pasquarello of performance	
14 issues	58
15 Production of documentation of	
16 Ms. Garcia's exit interview	99
17	
18	
19	
20	
21	
22	
23	
24	
25	

Page 146

1 C. HARIGEL
 2 C E R T I F I C A T E
 3
 4 STATE OF NEW YORK)
 : SS.:
 5 COUNTY OF KINGS)
 6
 7 I, LORI PICKMAN, a Notary Public for
 8 and within the State of New York, do hereby
 9 certify:
 10 That the witness whose examination is
 11 hereinbefore set forth was duly sworn and
 12 that such examination is a true record of
 13 the testimony given by that witness.
 14 I further certify that I am not
 15 related to any of the parties to this
 16 action by blood or by marriage and that I
 17 am in no way interested in the outcome of
 18 this matter.
 19 IN WITNESS WHEREOF, I have hereunto
 20 set my hand this 3rd day of AUGUST, 2022.
 21
 22
 23 
 LORI PICKMAN
 24
 25

Page 147

1 ERRATA SHEET
 VERITEXT/NEW YORK REPORTING, LLC
 2
 3 CASE NAME: Pasquarello v. Crothall Healthcare, Inc. Et Al
 DATE OF DEPOSITION: 8/2/2022
 WITNESSES' NAME: Chris Harigel
 4
 5 PAGE LINE (S) CHANGE REASON
 6
 7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22 SUBSCRIBED AND SWORN TO BEFORE ME
 THIS ____ DAY OF _____, 20____.
 23
 24
 25 (NOTARY PUBLIC) MY COMMISSION EXPIRES:

38 (Pages 146 - 147)

[& - account]

Page 1

&	2016 96:12,18	3	7
& 2:4 3:9 14:5	97:13 98:7	3 60:25 61:4	7 83:8,11,15
1	2019 16:15	63:22 144:10	144:16
1 3:9 25:12,15,24	2020 50:17 55:15	30 3:9 104:7,10	75 144:12
79:20 100:23	56:14,15,17	104:15	78 144:14
144:8	59:13,18 60:5	30th 104:17,23	8
10 138:25 139:4	91:12,23	31 25:25	8 89:20,24
144:21	2021 16:16 22:25	32 2:5 25:24	144:18
100 63:2,3	23:23 24:6,13	35 55:3	8/2/2022 147:3
10004 2:5	37:24 44:9	36 145:11	80 144:15
10022 2:10 4:14	45:13 60:23	3rd 146:20	83 144:17
106 144:19	68:9 69:2 70:19	4	8732 1:6
10:00 1:11	79:5 83:25	4 84:22 93:13	89 144:18
10th 77:3	84:22 93:8,13	145:5	9
11 129:8,11,14	101:9 102:15,23	44 144:9	9 106:19,22
131:20 144:20	103:6 104:7,11	48007-503212	144:19
126 4:13 12:25	104:15,17,23	101:18	900 2:9
129 144:20	106:13 118:25	4th 90:12	99 145:16
13 78:9,12	120:3 121:12,23	5	99th 13:25 15:14
100:14 144:13	129:19 137:9,20	5 75:14,18,22	a
138 144:21	138:17	144:11	a.m. 1:11
14 63:22	2022 1:10 102:24	5/31/2021	ability 7:9
19 79:5	146:20	105:11	able 7:13 8:12
1:25 142:15	21 1:6	503212 101:10	19:14 23:10
2	22 129:19 137:9	56th 4:13 12:25	32:22 44:21
2 1:10 40:19	137:19 138:17	58 145:14	61:7 78:15
43:25 44:4,6	22nd 138:4	6	absolutely
80:9 83:24	141:9	6 80:13,16,19	133:17,19
105:2 144:9	24746 146:23	144:15	access 31:17
20 143:19 147:22	25 102:14 144:8	6/28/2021	32:16 33:11,13
2000 9:18	25th 101:9,11	104:20	accommodate
2013 44:9,14	102:22,24	6/30/2021 104:7	6:11
94:13 95:7	26th 139:17	105:3,15	account 63:11
97:12,18	28 24:6 101:9	601 2:5	79:18 91:8,12
2015 96:12,17	28th 24:13	61 144:10	97:18 100:19
97:13 98:7			

accreditation 33:8 38:25	agenda 137:16	21:25 22:8,21	applicants 112:6
accredited 31:19 31:21 32:2,11	ago 4:22,23 41:23 49:8,19	23:4,13,19,25	applied 112:9 119:7
accurate 63:11 65:5,7 91:8 94:4 117:11	50:8,16 52:2,25 53:5 63:17 91:3 128:9	24:8,15 25:8	apply 71:13 110:17 111:8 119:10
action 25:2,22 64:11 135:6 146:16	agree 80:8 106:17 108:8	28:2 30:8 32:22 33:3,5,20 41:22 47:22 57:3 62:7	applying 110:4 112:17
actions 102:18	agreed 3:3,11 133:11,13	63:15 64:15,22 65:19,25 66:18 67:4,13 69:12 72:5 73:23	appointment 42:7
actual 50:4 51:3 121:10 128:3	ahead 25:2	74:15 82:13,20 85:11 93:10,15 94:22 95:10	approach 95:22
addition 70:12 71:25 72:6	al 147:2	96:21 97:15	approval 125:9 125:11,21 126:14
additional 75:4 75:5,7 133:3 136:7	alerted 82:17	100:3 103:2,8 104:13 109:22 110:15 120:23 127:12 128:20	approvals 124:24
address 4:12 135:7	alerting 82:10	128:22 130:10 132:24 133:16 134:9 135:3 136:24 140:11 140:25 141:17	approve 46:12 125:4
addressed 20:9 23:9	allegations 62:4 84:17	answered 6:19	approved 127:18 127:21
addresses 141:24	allow 31:16 114:14,15	answering 5:11	approves 122:11
adherence 28:10	allowed 21:3	anticipate 6:3	approving 122:4
administer 3:6	allows 31:4,9	anybody 112:8 112:17	approximate 50:22
advance 31:10	amount 33:17 68:2	anymore 124:22	approximately 9:23 11:5 14:15 15:9 27:16 37:24 47:11,18 49:2,18 50:17 55:3,14 57:16 58:19 60:23 68:8 69:2,3 96:4 96:12 102:24 115:17 120:2
advanced 9:4	announcement 40:13,22 41:10 41:20 77:21	anytime 6:10 8:5 76:13	april 63:3,21 64:4
aforementioned 25:13 44:2 61:2 75:15 78:10 80:14 83:9 89:21 106:20 129:9 139:2	announcements 40:3	appear 61:17 101:23	arbiters 127:19 127:25
age 9:14 60:17 81:8	annual 11:15 18:3 29:19,23 52:15,17 102:5 102:17,19,21 106:12	appears 26:11 62:13 79:19 80:2,11 81:13,17 85:7 90:7 99:22 109:18	
agency 30:23	answer 5:21 6:2 6:12,20 7:4,4 10:19 17:23 18:7,15,22 19:4 19:11,19 20:2,8 20:15,22 21:8,18		

[area - believe]

Page 3

area 22:14 32:21 68:20 69:14 70:8 92:18 94:21 97:17 127:15 areas 18:20 43:13,17,23 63:4 63:20 64:7 65:11,21 113:14 arrival 23:9 arrived 21:6,22 aside 56:18 59:21 60:7 66:4 73:11 85:25 87:22 91:7 95:6 121:13,23 asked 5:19 6:18 42:5 43:12 69:25 141:3,18 asking 4:25 5:25 6:3 64:23 80:8 85:24 86:16 136:7 aspect 42:17 49:4 72:21 assign 51:19 assigned 53:15 104:6,10,15,17 104:20,22 105:5 105:14,18,20 assist 28:6 136:21 140:16 assistance 115:7 assistant 16:18 45:21 47:7 72:12,19 73:21 74:5,12 96:7,8 115:24 116:16	116:20 117:4,6 117:10,15 118:20 119:3 120:11 122:10 123:11 124:8 125:12 126:8,15 assisting 57:16 assists 28:3 associate 144:11 144:13 assume 5:21 26:2 51:6 77:19 97:8,16 assumed 74:17 assuming 100:4 102:7 attached 84:15 attempted 44:11 attend 137:16 attendance 131:10 attended 9:12 131:6,11 137:23 attorney 7:2,20 76:11 attorneys 2:4,9 audit 28:22 29:9 29:12,16 36:7 37:23 40:2 41:13 57:19,22 57:24 90:20 132:19 audits 28:11,17 august 1:10 83:24 84:22 90:11 93:13 146:20	authorize 124:14 authorized 3:6 auto 105:15 available 8:11 126:2 avenue 2:9 aware 17:19,24 18:2,10,16,18,23 18:24 19:6,23 20:4,18,25 21:14 21:19,21 22:4,16 22:24 23:7,14,15 23:21 24:4,16 25:4,9,10 46:5,9 55:12 59:14 60:15 64:10,16 64:25 66:9,14 92:16 93:7 108:12 134:4 awareness 24:19 awhile 4:23 41:23	50:7,18 51:4 52:24 53:6,11,19 54:24 74:9 129:21 bartons 46:21 base 18:3 based 13:4 17:17 31:14 87:3,4,7 87:13,19 89:16 97:8 103:24 106:16 108:17 112:14 113:16 132:13 bashwiner 13:7 basics 4:25 basing 33:5 basis 17:16 58:17 102:19 bear 70:14 bearing 132:23 becoming 32:2 115:10 beginning 49:18 50:17 60:4 beginnings 17:20 behalf 127:20 142:13 belief 108:15 112:15 believe 17:24 20:23 22:22 23:5 41:4,14 44:9 45:11 46:2 52:15,23 54:23 56:12 64:16 66:20 68:20 71:5,8,24 73:4,9
		b	
		b 144:2 bachelors 9:6 back 32:15,17 37:6 44:14 65:14,17 72:9 96:9 100:22 backfilled 119:22 background 90:23 barton 12:6 46:16,18,22,22 46:24 47:3,6,10 47:13,15 48:5,19	

[believe - candidate]

Page 4

75:7 77:17	87:24,25 88:5,11	built 124:24,25	102:1 103:1
79:11 81:20	91:20 92:4,9	bullet 64:3	104:1 105:1
82:2 85:13	96:2 111:10,21	buy 127:4	106:1 107:1
88:22 93:12,16	129:20 139:17	c	108:1 109:1
95:18 96:4	140:4	c 2:2 4:1,2 5:1	110:1 111:1
108:13 109:7	bob's 59:12	6:1 7:1 8:1 9:1	112:1 113:1,5
110:3 112:8,12	bobby 54:16	10:1 11:1 12:1	114:1 115:1
116:2,12,22	bond 45:17	13:1 14:1 15:1	116:1 117:1
117:2,3,18,25	53:17 54:6	16:1 17:1 18:1	118:1 119:1
118:3,6,25 120:9	115:21 116:3,7	19:1 20:1 21:1	120:1 121:1
129:5 131:8,11	116:19 119:19	22:1 23:1 24:1	122:1 123:1
132:22 133:2,10	139:13 140:6,14	25:1 26:1 27:1	124:1 125:1
138:23	140:22 141:4	28:1 29:1 30:1	126:1 127:1
bernie 45:17,18	bond's 45:20	31:1 32:1 33:1	128:1 129:1
54:13 71:3,6,10	141:12	34:1 35:1 36:1	130:1 131:1
71:15,18,20	bonus 11:15,22	37:1 38:1 39:1	132:1 133:1
72:14 73:3	bonuses 11:10	40:1 41:1 42:1	134:1 135:1
74:12,21,25 75:3	28:15,21 29:3	43:1 44:1 45:1	136:1 137:1
108:6 109:19	bottom 62:18	46:1 47:1 48:1	138:1 139:1
111:4,8,13	93:24 104:4	49:1 50:1 51:1	140:1 141:1
112:24 113:20	105:17	52:1 53:1 54:1	142:1 143:1,2
113:22 114:19	break 6:9,14	55:1 56:1 57:1	144:1 145:1
114:23,24	83:4	58:1 59:1 60:1	146:1,2,2
119:15 120:24	brief 98:19	61:1 62:1 63:1	call 15:17,18
121:2,8,13,24	broadway 2:5	64:1 65:1 66:1	36:13 71:6,7
bernie's 109:7	brooklyn 13:15	67:1 68:1 69:1	called 4:3 36:10
113:18	14:7 15:4	70:1 71:1 72:1	36:17 80:4
beth 13:13 14:17	brought 43:16	73:1 74:1 75:1	122:20 133:6,8
115:13	brown 142:5	76:1 77:1 78:1	campus 13:11,16
bi 14:4	bruce 13:7	79:1 80:1 81:1	14:14,17,18,22
bill 32:14,17	bucket 125:8	82:1 83:1 84:1	14:25 15:4,8,16
bit 101:25	budget 127:9	85:1 86:1 87:1	15:18,19 16:2
blood 146:16	building 13:3	88:1 89:1 90:1	19:8,9 115:15,18
bob 12:7,8 27:7	114:6	91:1 92:1 93:1	campuses 13:20
28:16 55:18	buildings 14:13	94:1 95:1 96:1	13:22 14:10
57:11,15 58:16	14:16,21 15:2,3	97:1 98:1 99:1	15:11
58:20 59:7 71:9	15:7 114:17	100:1 101:1	candidate 71:21
71:20,22 81:4,14	115:14,18		110:16 114:20

[candidates - communication]

Page 5

candidates 110:4 110:12 112:5,13 carbon 131:9 case 8:13 60:14 93:3 138:2 147:2 categories 65:24 category 22:13 caused 133:3 caution 139:11 celeste 67:7,9 center 61:16 81:22 82:4 83:10,22 84:9 141:22,23,23 144:17 centers 30:23 certain 31:17 82:22 106:4 114:4,5,16,17 certainly 58:8 62:10 certificate 113:10,12,23,25 114:2,8,10,13 certificates 21:16 113:7,19 113:20 certification 3:5 certify 143:4,8 146:9,14 cetera 84:17 chance 13:11 44:16 75:22 78:18 80:20 90:4 106:25 129:15 139:7	change 147:5 changed 20:17 changes 21:9,13 characterized 55:7 charge 72:10 chart 45:12 charts 44:3,7,8 44:25 45:4,7 144:9 chelsea 14:6 chose 91:14,19 92:7,9,11 119:6 chris 4:15,15,17 8:13,24 61:7 63:7 80:19 83:14 84:4 90:21 147:3,21 christopher 1:16 4:11,16 143:15 cited 34:23 city 10:12 clarification 17:14 clarify 10:25 11:11 19:12 24:9,21 29:13 31:7 34:3 35:8 35:21 45:6 59:25 clark 2:10 8:16 10:2,18 17:22 18:6,14,21 19:3 19:10,18,25 20:7 20:14,21 21:7,17 21:24 22:7,20 23:3,12,18,24 24:7,14 25:7	27:25 30:7 32:5 32:9,19 33:19 34:17 36:16 41:21 42:21 43:5 46:6 47:21 50:2,20 51:24 53:12 57:2 59:23 61:24 62:6 63:14 64:14 65:14,18 66:17 67:3,12 69:11 72:4 73:7 73:22 74:14 78:4 79:23 82:12,19 83:3 85:10 87:17 88:14 93:9,14 94:18 95:3,9 96:20 97:14 100:2 102:25 103:7 104:12 106:14 109:11 109:21 110:14 118:9 120:22 121:4,16 124:3 127:11 128:10 128:19 130:9 131:3 132:20 133:15,23 134:8 134:15 135:2 136:9,23 138:6 140:10,24 142:8 clear 8:5 133:20 client 7:20 close 4:21 closed 23:2 101:8 105:23	closing 64:12 92:22 101:4 closure 104:19 cms 32:12,13 coaching 91:15 92:8,10,12,14 college 8:24 9:2 116:12 combination 35:18 come 30:3 42:6 115:19 135:4 coming 130:2 commend 41:11 41:16 commended 41:17 comment 65:6 70:13 98:23 99:2 commission 29:12,17,20 30:5 30:10,22 31:5,11 31:15,16,21 32:24 33:7,14,16 34:10,15,25 35:6 35:15 36:6,15 37:23 38:19,22 39:2,6,12,16 40:2,4 77:22 78:2 132:19,23 133:3 139:25 147:25 communicated 75:10 111:17,20 communication 61:13 62:14 84:5,25 85:5
---	---	---	---

[communication - crothall]

Page 6

139:16 communications 7:20 61:18,22 62:3 compensation 11:7 competency 113:14 compilation 44:6 complained 55:5 66:15,25 67:10 77:13,20 complaining 77:18 complaint 25:14 25:21 26:7,15,18 60:13 61:23 62:3 67:17 81:6 82:11,18 85:14 86:2,6 90:9 103:17 108:5 144:8 complaints 60:16,22 complete 36:7 completed 101:5 101:8 103:13 104:23 completion 39:25 63:4 101:4 105:15 compliance 36:4 145:11 compliant 63:2 component 28:18 components 28:20 113:15	composite 11:24 comprise 14:13 15:7 computer 8:18 18:3 123:19 computers 123:21 concerning 88:7 concerns 80:9 concluded 142:17 conduct 28:11 51:23 conducted 17:5 18:25 26:11 29:19 52:14,16 85:2 102:12,22 106:12 conducting 53:2 conference 79:19 100:20 confirm 108:14 confusion 6:6 connection 109:24 110:11 consent 77:9 consequence 31:22 consideration 75:8 considered 71:10 114:19 contacted 84:9 93:4 content 84:3 130:8 contents 79:14	context 130:18 continuation 62:9 continue 36:7 contractor 49:10 conversation 6:22 42:16 82:3 82:23 99:23,25 100:5 coordinator 131:15,18,23,25 132:4 133:18 134:6,14 135:12 135:15 137:3 139:14 140:6 coordinators 128:4 135:23 136:4 copied 88:22 129:20 131:9 copy 3:8,9 142:11 cordier 48:13 correct 13:12 15:17 27:11 29:18 49:22 50:24 51:9 52:6 52:7 53:14 58:18 71:14 73:16 74:23 77:22 79:5 85:7 87:12 88:21 90:18 104:11 105:4 108:2 109:20 110:22 113:9 115:25 116:22 120:12 125:16 129:22	130:4 133:5,22 134:3 136:8 139:19 140:2 142:2 143:9 cortland 66:22 66:24 counsel 3:4,9 19:15 91:19 144:24 counseling 42:10 55:10 56:25 75:16 76:3,22 78:11,25 79:15 81:6 84:12 85:16 86:20,22 86:24 87:9 88:19,25 89:6 91:24 101:21 103:24 144:11 144:13 county 146:5 court 1:2,17 3:7 5:3,6,10,16 6:4 cover 22:14 25:19 coverage 20:6 covered 92:17 covering 70:11 created 21:14 95:21 96:6,8 credential 114:18 credentials 11:17 113:5 critical 106:4 crothall 1:7,15 9:17 13:20,23 15:12,21 16:5,13
---	--	---	---

[crothall - director]

Page 7

16:21 25:23 27:5 28:10 35:5 35:8,9,25 44:7 44:25 45:3,8,10 46:19,25 61:15 68:18 69:14 90:25 93:3 115:2 116:4,8 117:6,7 120:19 127:6 147:2 crothall's 117:3 current 9:14,19 10:8 14:8 27:13 46:9 115:24 currently 7:8 10:24 12:4 45:14 47:17 52:2,3,9,11 99:14 cv 1:6	139:5 147:3 dated 83:24 84:22 90:11 dates 106:4,5 dating 44:9 69:5 day 131:2 134:7 143:19 146:20 147:22 days 3:9 21:23 22:18 34:21,22 deal 31:25 32:21 december 9:18 56:14 91:12,23 decided 92:3 decision 86:23 86:25 89:5,8,14 103:23 119:2,9 119:11 decisions 11:13 decreased 70:18 deeming 30:23 defendant 1:15 defendants 1:8 2:9 44:12 deficiency 130:21 define 122:7 degree 9:7 116:15 degrees 9:5 denver 54:16 department 18:13 19:22 25:3 29:8,9 33:24,25 34:4,7 34:8,9 38:8,16 39:18,20 40:7 44:25 45:5,16	46:10,14 50:12 51:14,17,20 53:8 55:22 64:8 65:22 70:16 72:9,22 73:2,18 74:2,4 94:9,16 94:20,22 113:13 114:3 121:14,25 122:5,16 123:16 125:5 127:15 128:3 departments 33:24 34:5 64:5 64:6 65:9 66:3 66:11 dependent 11:22 28:16 depending 123:5 depends 123:21 124:21 125:6 deposed 4:18 deposition 3:5,5 3:8 6:25 7:22 8:2,8 147:3 described 88:11 125:15 describing 133:13 description 131:22 132:7,8 132:10,13 134:5 134:13,20 135:8 136:16 144:7 desire 107:14 detail 103:16 detailed 79:18 100:19	determine 11:6,9 developed 18:11 20:19 21:2 difference 72:18 74:10 105:9 128:12 different 11:25 34:24 47:13 49:9 52:13,19,21 65:8,10,20 66:2 123:22 128:7 differentiating 51:2 difficult 22:9 direct 12:4,13,18 12:22 16:6,7 27:10 48:8 62:17 67:18 79:17 directed 67:15 directions 43:19 directly 11:2,4 17:15 54:23 82:9 96:2 98:13 117:24 135:4 director 16:18 27:14 42:8 43:4 43:10,16 45:19 45:21 47:2,7 70:23 71:4,12,21 71:23 72:9,11,12 72:18,19,20 73:3 73:21,21 74:5,12 74:13,18 95:25 96:2,5 107:9,25 108:6 110:2,7,9 110:11,13,17,24 111:5 112:7
d			
d 3:2 143:2 145:2 data 64:9,22 65:5,7 database 37:5 57:20 date 1:10 24:18 25:16 44:5 61:5 68:10 75:19 77:3 78:13 80:17 83:12 89:25 104:6,18 104:21,24 105:14,24 106:23 121:11 129:12 130:4			

[director - email]

Page 8

113:24 114:9,11 115:10,24 116:16,20 117:4 117:6,10,15 118:20 119:3 120:11 122:10 122:10 123:11 123:12 124:7,8 125:12,13 directors 96:7,9 126:8,9,15,16 disciplinary 19:7,13 55:6 64:11 disciplined 64:20 65:3,7 66:11 disciplines 30:13 34:24 disciplining 55:8 discouraged 42:9 discretion 127:16 discretionary 127:9 discrimination 42:19,24 60:17 60:21 81:8 discuss 22:10 85:3 discussed 59:21 71:19 73:24 82:25 108:13 111:21 119:25 120:17 132:2,4,6 132:13 135:13 135:15 136:12	136:14,15 140:12 discussing 58:21 97:12 107:24 128:8,13 130:24 135:11 141:7,8 discussion 60:11 71:8 111:22,25 131:14 133:21 133:25 140:5,18 discussions 88:12 140:9 dispute 84:9 93:4 district 1:2,2 divided 74:18 division 10:13 divisions 125:24 doc 36:3 56:9 57:24 docs 59:5 document 25:17 25:21 26:2,12 35:11 37:4,7 61:3,11 78:21 89:23 90:3,7 100:8 130:22 144:10,18 documentation 38:22 43:21 56:3,4,8,11,18 59:4,9,11,17,22 60:7 77:7 92:14 92:23 99:4 111:12 145:15 documented 22:23	documents 7:24 8:7 17:25 35:3,5 35:10,12,16,17 35:19,22,23 36:5 36:8,11,14,19 37:3,10,13,15,16 37:18,21 76:2,7 80:23 86:3 111:15 145:8,9 145:11 doing 49:7 50:4 51:10,12 58:21 86:11 93:25 95:13 114:24 125:18 142:3 dollars 125:3 dorothy 12:5 doubt 63:18 doug 53:21 downtown 14:5 drafted 136:15 dry 102:4 106:12 dual 47:23 due 102:23 103:5,14 130:21 duly 4:3 143:5 146:11 duplicates 37:19 37:20 duties 70:5 141:6 e e 2:2,2 3:2,2 4:2 4:2 143:2 144:2 145:2 146:2,2 ear 14:5	earlier 27:9 47:4 55:4 77:12 88:4 88:17 111:2 115:16,23 119:16,25 early 70:19 earning 28:21 easier 44:18 east 4:13 12:25 13:25 ecklof 54:19 ed 25:10 education 112:24 effect 3:7,8 140:9 effective 121:11 effectively 69:21 eight 11:5 12:3,9 15:9 115:17,20 116:5 eighteen 96:4 either 17:3 31:19 51:6 97:13 118:11 130:20 131:9 electrical 66:6 electronic 37:15 37:16 57:20 elements 11:21 87:5 eligible 11:15 email 17:14 27:21 81:3,16,18 81:20 83:21 106:21 107:5 111:3,18 129:10 129:18,25 130:8
--	--	--	---

[email - fill]

Page 9

131:9,10,20 134:7 138:19 144:19,20 emailed 17:11 emails 58:2,6,14 80:15 83:10 139:3 144:15,17 144:21 145:12 employed 70:24 121:15 employee 11:14 29:7 46:19 66:21 67:6 68:4 68:15 124:10 employees 10:23 11:4,20 12:3 17:21 19:21 28:16 29:3 45:7 45:8,9,10,23 70:6,12,14,15,19 121:21 employer 47:13 energy 10:14 engineering 9:3 9:7 116:18 117:21,23 118:8 118:15,19 141:14,21 ensure 103:11 entail 132:6 entire 30:15 93:25 95:13 entry 83:24 84:21 environment 81:8 equipment 105:20 122:4,7,8	122:12 123:24 124:9 127:5 errata 147:1 esq 2:6,10,11 et 84:17 147:2 evaluating 58:23 eventually 123:8 everybody 131:8 exact 22:2 24:2 33:3 48:7 78:7 117:16 118:24 128:13 exactly 4:23 26:19 48:16 81:19 85:21 86:13,17 94:15 106:7 107:11 118:13 124:22 128:21 133:7 137:18 138:10 examination 1:14 4:7 142:16 145:4 146:10,12 examined 4:5 example 34:16 123:14 examples 34:20 exceed 113:21 exhibit 25:12,15 43:25 44:4,6 60:25 61:4 75:14,18,21 78:9 78:12 80:13,16 80:19 81:12 83:8,11,15 85:13 89:20,24 100:14 101:15 104:4 106:19,22	112:23 129:8,11 129:14 131:20 138:25 139:4 144:6,6 exhibits 8:9 144:4,24 exist 21:10 35:19 existed 21:5 existing 140:15 exit 99:3,5 145:16 expanded 115:4 expect 125:23 expedient 126:3 experiencing 42:20 expires 147:25 explain 50:25 130:17 extent 58:9 external 51:7,12 52:17 extinguish 25:2 extinguishing 24:12 extra 57:7,9,12 58:10 141:6 extremely 115:3 eye 14:4 f f 3:2 146:2 facilities 10:10 13:17 14:9,24 15:5 28:12 30:17 31:4,7 33:18 34:6 35:2 35:9,25 38:7,15	38:18 40:6,18,25 44:25 45:5 63:8 64:7 65:21 94:21 115:7 125:25 facility 115:15 135:24 fact 91:24 115:4 failure 100:25 103:24 failures 87:9 fall 16:14 66:6,7 66:8 106:6 falls 65:23 falsification 84:17 familiar 29:15 29:20 far 16:12 48:20 64:2 92:13 106:10 112:24 fathom 120:8 february 129:19 137:9,19 138:4 138:17 141:9 feedback 39:10 39:14,17,21 59:8 felippe 48:14 felt 42:19 fewer 88:13 field 35:13 fifteen 42:15 fifty 9:15 filed 25:22 60:13 93:2,8,13 filing 3:4 fill 107:18
--	--	--	--

[filled - funding]

Page 10

filled 11:17,19 96:23 filling 140:6 final 125:11 finance 126:22 financial 31:24 122:15 find 95:21 96:6 107:8 fine 4:17 finish 5:25 finished 44:18 fire 9:8 16:19 17:20 18:12,25 19:8,15,24 20:5 20:19 21:2,4,15 23:17,23 24:6,12 24:17,23 25:2,3 25:6 27:14 28:3 28:7,13,15,23 29:2 32:24 35:13 37:11 39:18,22 41:2 42:8 43:21 45:15,19,21,24 45:24 46:13 48:20 49:6,20,22 50:9,10,11,14,18 51:14,16,20,22 51:23 52:3,4,8,9 52:12,19 53:2,4 53:8,10,14,18 55:22 56:7 58:25 66:4 68:7 68:19,20 69:8,9 69:14,20 70:3,7 70:22 71:4,11,21 72:10,22 73:2,6	73:12,16,18,25 74:2,7 94:8,25 96:3,9,15,18 97:17 98:4,6 99:15 101:6 107:9,25 108:7 110:24 111:5 112:7 113:13,14 113:23 114:3,8 114:11 115:10 115:24 116:13 116:17,20,24 118:15,19 119:19,20,21 120:2,18 121:7,8 121:14,24 122:5 122:9 130:4,18 131:21 132:10 132:16 135:22 137:5 first 4:3 6:13,21 26:17 55:12 60:20 62:13,18 70:21 76:2,17 88:18,25 89:5 91:17 94:12 101:3 105:10 116:11 123:25 124:10 139:10 143:5 fitness 21:16 113:8,11,23 114:10 five 21:22 33:3 80:20 fmla 67:10 follow 81:22 122:14,22	130:23 following 43:19 92:21 follows 4:6 128:5 followup 56:6 force 3:8 foregoing 143:8 forgetting 12:11 form 3:12 10:3 10:19 17:23 18:7,15,22 19:4 19:11,19,25 20:8 20:15,22 21:18 21:25 22:8,21 23:4,13,19,25 24:8,15 25:8 28:2 30:8 32:6 32:10,20 33:20 34:18 41:22 42:22 43:6 46:7 47:22 50:3,21 51:25 53:13 57:3 59:24 61:25 62:7 63:15 64:15 65:19 66:18 67:4,13 69:12 72:5 73:8,23 74:15 78:5 79:24 82:13,20 85:11 87:18 88:15 93:10,15 94:19 95:4,10 96:21 97:15 100:3 103:2,8 104:13 106:15 109:12,22 110:15 118:10	120:23 121:5,17 124:4,8 127:12 128:11,20 130:10 131:4 132:21,25 133:16,24 134:9 134:16 135:3 136:10,24 138:6 140:11,25 formal 60:16 former 66:21 forms 18:17 42:10 forth 146:11 forward 8:13,16 81:21 forwarded 76:12 four 47:18 fourteen 14:15 frequency 88:3 frequent 103:12 frequently 30:3 58:13 87:25 88:5 front 100:15,17 106:25 fs 113:5 fulfilled 133:14 133:19 fulfilling 70:5 full 28:22,23 62:10 68:4,15 70:11,13 90:14 138:11 fuller 28:25 fully 94:22 funding 31:17 32:12,13,17
--	---	---	--

[funds - held]

Page 11

funds 126:2 127:17,19 further 3:11 135:7 142:6 143:8 146:14	125:17 126:10 goes 112:24 125:5 128:5 going 4:24,25 8:3 13:8 31:5 36:12 44:14,15 62:17 63:5,23 75:21 83:14 91:18 95:14 101:14 103:19 109:8 129:13 137:21 good 40:10 grade 29:5 graded 29:5,8 gray 83:23 gross 48:14 group 10:15 40:24 guess 107:14 118:7,10,11 137:21 141:24 guide 20:19 31:3 31:9	happen 139:24 happened 21:4 137:9,15 harassment 66:25 81:7 hard 8:14 33:2 harigel 1:16 4:1 4:11 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1,7 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1,21 91:1 92:1 93:1 94:1 95:1 96:1	97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 109:1 110:1 111:1 112:1 113:1 114:1 115:1 116:1 117:1 118:1 119:1 120:1 121:1 122:1 123:1 124:1 125:1 126:1 127:1 128:1 129:1 130:1 131:1 132:1 133:1 134:1 135:1 136:1 137:1 138:1 139:1 140:1 141:1 142:1 143:1,15 144:1 145:1 146:1 147:3,21 harigel's 142:13 hashim 12:7,15 head 74:20 health 10:12,22 28:4 36:2 48:2,4 114:25 healthcare 1:7 1:15 91:2 147:2 heavily 36:3 held 1:17 60:11 69:18 91:2 116:7,15,17
g			
g 4:2 garcia 48:14 68:12 69:2,8,19 98:5,6,11,13 107:19 119:17 119:20 129:22 garcia's 145:16 gas 10:13 general 63:22 65:12 generally 67:19 102:18 generated 104:24 105:15 106:2 generates 33:16 gestures 5:7 giampaolo 84:6 90:15 91:9 93:20 95:17 give 5:5 13:11 33:2 34:19 44:15 given 14:20 21:5 27:18 77:25 134:25 143:10 146:13 go 4:15,24 8:24 37:6 103:15 115:19 122:17 123:6,20,21	h		
	h 4:2,2,2 144:2 hand 146:20 handed 74:3 handle 22:11 123:16 135:7 handled 19:7 handles 19:22 47:25 48:3 handling 49:24 70:10 132:17 137:25		

help 13:9 105:8 hereinbefore 143:11 146:11 hereunto 146:19 hi 4:15 84:4 hierarchy 117:8 124:23 high 63:23 65:12 65:12 highlighted 105:11 hire 70:22 71:3,6 74:24 75:4,6,9 107:9 119:11 hired 43:4,11 74:21,25 75:3 111:11 116:21 hiring 107:25 108:6 110:23 112:19 119:13 history 97:17 hit 11:18 hitting 87:4 holds 113:22 hospital 13:10 13:16,20,24 14:14 15:10,14 15:20,23,24 17:4 18:5,12 19:9,24 24:6,10 30:16,19 30:25 31:10,16 31:20 32:4 33:7 34:7,8,15,20,24 37:12,23 38:24 40:4,6,7,20 41:3 41:13 45:2,15 46:14 48:18 51:21 52:6,10	59:3 68:8 69:15 70:8,23 72:23 73:13 94:8,25 96:19 107:10 115:11 121:25 122:6 125:25 126:10,23 128:18 hospital's 17:19 23:16 39:18,22 125:14 126:17 hospitalized 25:5 hospitals 32:14 hostile 81:7 hourly 137:15 house 52:16,18 101:6 hr 61:14 66:16 76:17 82:15 83:22 84:9 93:19 97:7 103:16 hrsc 76:15 93:4 human 61:3,15 81:22,24 82:4 83:10 89:22 144:10,16 hundred 21:22 82:21 131:12 hvac 66:7	129:11 139:4 identified 23:8 30:4 59:16 60:4 87:8 identify 19:14 ilsm 80:5 ilsms 80:5,10 impact 80:5,5,10 impair 7:9 impairment 130:14,18,19 131:15,17,23,25 132:4 133:18 134:6,14 135:12 135:15,23 136:3 136:13,21 137:3 137:12 139:13 140:6 impairments 23:23 130:25 132:17,24 133:4 137:2,6 140:17 implication 97:11 implying 109:18 important 5:5 32:3 improve 92:19 improvement 62:19 75:17 76:3,22 77:14,17 87:5 89:9,12 101:2 106:2 inaccuracy 91:7 inception 97:18 incident 24:17 79:18 100:19	include 41:2 45:7,9 including 45:24 inconclusive 27:20 increase 20:6 increases 34:12 index 1:5 indirectly 14:11 individual 29:7 individuals 50:14 105:19 influence 29:2 information 63:7 97:6 99:11 145:8,9 informed 81:21 87:20 informing 56:20 87:23 inhalation 25:6 initiate 123:13 inside 34:24 40:7 48:3 55:21 64:7 123:7 inspected 34:21 inspection 28:9 35:2,3 43:22 56:5 inspections 106:5 installed 114:5 instruct 118:10 instructed 82:15 126:16 128:15 instructions 130:3
	i		
	identification 25:15 44:4 61:5 75:19 78:13 80:16 83:12 89:24 106:22		

[instructs - joint]

Page 13

instructs 7:3 126:20	involved 24:5,11 24:16 48:22,24 49:4 64:12 124:13	j	90:9 91:14,23 92:9,12,18 93:2 93:12,24 94:5 95:12 98:17 99:14 105:22 108:12,16,19,23 109:16 113:5,24 116:21 120:4,11 120:15,17,24 121:6,15 127:3 128:15 129:19 130:7,12 133:10 134:4,13 135:5 135:21 136:2,15 137:2,12 139:18
intended 94:17	involvement 24:20	january 24:6,13	joe's 20:17 87:23 88:2 89:17 90:22 93:19 103:17 108:5 113:19,21 131:20
intention 74:22 75:4,6,9	involves 32:24	jason 12:6	jogging 138:19
interact 27:17	ish 16:16	jk 2:6	john 12:6 46:16 46:18,21,22,22 46:23 47:3,6,9 47:12,15,23 48:5 48:19 50:7,17 51:4 52:24 53:5 53:11,19 54:23 74:9 129:21
interacted 88:5	israel 13:14 14:17 115:13	job 9:19 10:8,17 40:10 46:10,13 71:16,18 93:25 94:17 95:2,14 111:5 114:20,23 114:24 115:6 131:22 132:12 134:5,12,19 135:8 136:16	join 120:20 121:8,14,24
interacting 88:12	issue 56:24 57:14 58:18 59:16 78:25 86:22,24 89:5,9 89:11 91:13,18 103:23 127:22	jobs 126:9	joined 119:21 120:24
interactions 17:17 27:21 88:6	issued 64:11 76:4 77:4 79:4 79:10,12 84:10 91:24 101:10 113:12 123:9 138:9	joe 8:3,4 15:11 16:4,13,20 17:18 17:19 20:12,18 21:13,21 22:24 23:7,15,21 24:4 25:22 27:5 41:6 41:11,19,25 42:5 42:7 43:3,9,12 54:19 55:4,8,13 55:20 56:24 57:8,10,13,25 58:10,17,21 59:8 59:12,15 60:6,15 60:21 61:19 62:4 64:11 66:19 67:25 68:22 69:9,16,25 70:3,24 72:24 73:11 74:6 75:10 76:4 77:4 77:12 79:2,10 81:3,13 84:8 85:14 86:2 87:14 88:7,20	joint 29:12,17,20 30:5,10,22 31:5 31:11,15,16,21 32:23 33:7,14,16
interceded 57:6	issues 30:4 31:24 55:21,24 56:19 59:20 92:20 145:14		
interested 146:17	issuing 86:20 88:20,25 103:22 122:4,11		
intern 116:13	item 101:3 103:10 124:24 137:16		
internal 51:7,12 110:4 112:4 117:9	items 11:17,25 20:10 30:10 32:25 34:23 47:25 57:25 58:3 74:17 87:7		
internally 60:17			
interview 99:3,5 145:16			
interviewed 71:15,17 119:8			
inventories 23:17			
investigate 84:16 85:19			
investigating 103:17			
investigation 89:22 90:8,11 144:18			
investigator 85:9			
involve 30:14 31:23 123:3			

[joint - look]

Page 14

34:10,15,25 35:6 35:14 36:6,15 37:22 38:19,22 38:25 39:6,11,16 40:2,4 77:22 78:2 132:18,23 133:3 139:25 joseph 1:3 2:4 jr 46:22 47:6 judge 3:7 july 37:24 79:5 june 68:9 77:2 101:9,11 103:5 104:7,10,15,17 104:23 121:23	27:7 29:16 31:4 31:10 36:16 39:4 41:9 44:17 44:18 46:16,18 48:6,7,8,12,21 51:18,19 53:9,14 53:16 54:25 56:23 57:5,25 58:20 59:7 61:8 61:11 64:2,18 66:21 67:6,21 68:12,17 71:17 75:12,22 78:15 78:19 79:9 80:19 82:14 83:20 84:16 85:3 90:2,3 92:13 96:24 98:10 99:7,20 100:15 106:7,10 106:24 107:20 109:2 112:10,11 115:21 116:6 117:16 118:13 118:14,24 119:22,24 120:13,14 124:5 125:22 128:16 128:25 129:14 135:5 137:22,24 139:6 141:19 knowingly 130:20 knowledge 7:18 17:18 77:8 87:14 89:17 122:2 126:12	known 47:9 knows 118:12 l l 3:2,2 4:2 143:2 labeled 44:10,12 labor 19:21 lacking 43:15,18 large 123:6 132:17 larger 40:24 123:18 late 60:23 118:25 lawsuit 7:17 26:25 93:3,7,13 93:19 lawyer 6:18 lawyers 7:23 lay 81:23 lead 96:9 132:18 132:22 leadership 97:23 98:12,16,21,25 122:9 135:22 leah 2:6,6 learn 55:16 60:20 70:21 learned 26:24 71:2 leaves 125:5 left 16:15 22:25 27:5 68:7,18 69:2,8 70:19 73:14 74:23 95:20,24 96:5 99:14,18 101:25 107:19 119:19	119:19 120:2,21 120:25 121:23 letter 81:12,15 109:3 level 40:19 74:11 95:21 life 43:21 56:7 58:25 113:23 114:8,11 limits 124:23 line 109:2 129:25 131:20 139:11,12 147:5 list 48:7 103:10 listed 103:11 lists 63:21 little 42:9 93:22 101:25 littler 2:8 littler.com 2:11 lizarazo 62:14 81:4,14 107:6 llc 147:1 llp 2:4 llp.com 2:6 located 12:24 location 28:4,7 locations 40:14 40:16 log 61:21 long 9:21 27:15 47:9,15 48:24 94:14 116:3 124:12 longer 114:25 118:15 look 26:6 44:17 61:7,21 62:2,12
k			
kanterman 67:21 68:7 69:8 69:18 99:18 107:19 109:15 109:20,25 121:23 129:21 kanterman's 109:9 kerley 12:6 khan 12:7,15 kim 142:5 kings 146:5 kirschenbaum 2:4 knew 20:23 21:12 128:17 know 5:20 6:10 15:18 16:12 20:10,12,16 21:4 21:9,11 22:2,10 24:2,22 26:4,8			

[look - meeting]

Page 15

62:18 84:20 90:18 91:8 97:19 100:14 104:3 112:22 129:14 looking 30:6,11 37:3 100:22 101:22 114:19 136:11 looks 61:13 62:8 77:3 79:4 80:3 81:2 83:17,21,24 84:4,24 90:10,14 104:9 108:4 111:2 125:8 129:18 lori 1:18 5:2 146:7,23 lot 17:12 low 19:15 lower 93:22 lunch 42:5 lund 49:17,24 53:4	maintaining 43:20 maintenance 28:9 30:18 43:23 48:20 49:6 56:6 59:2 62:25 73:25 101:5 102:9,12 102:18 103:5 106:11 man 34:21 manage 48:19 49:13 51:6 53:15 managed 13:20 13:22 23:22 49:11 51:5 94:7 management 10:11 14:9 34:7 36:2 38:8,16 40:7,19,25 45:5 49:21,24 50:7,23 51:2 53:6 63:8 64:7 65:21 74:6 94:21 137:5 manager 61:14 67:25 69:14 72:2 75:5 82:15 97:21,24 100:6 100:10 107:18 109:15 110:7,23 116:16,24 117:3 117:11,15,20 119:14,20 120:20 121:3 122:11 141:14 141:21	managers 21:3 73:13,15 74:23 75:4,7 128:3 managing 50:6 51:11,17 53:7,10 53:18 115:3 manhattan 13:2 manual 33:8,9 34:22 march 63:2,21 64:4 69:2 102:14,22,24 103:13,14 106:13 120:3 139:17 maria 48:14 mark 25:11 43:24 60:24 75:13 78:8 80:12 83:7 89:19 106:18 129:7 138:24 marked 25:14 44:3 61:3 75:18 78:11 80:15 83:11 89:23 106:21 129:10 139:3 marriage 146:16 marshal 20:5 marshals 19:2,8 19:15,24 20:20 21:3,4,15 45:25 52:19 masks 122:16 matt 45:17,20 53:17 54:6 115:21 116:3,7	116:19 119:18 139:13 140:5,14 140:21 141:4,12 matter 55:6 58:11 146:18 matters 19:7 matthew 2:10 mean 29:24 34:4 38:17,21 57:18 84:11 104:16 105:18 117:5 124:25 meaning 25:25 112:2 128:2 means 105:6 meant 92:19 measure 79:21 102:8 measurement 101:7 measures 64:5 64:13,20 65:2,4 65:11 66:4,12 mechanical 9:3 medicaid 30:23 32:15 medical 10:13 medicare 30:24 32:15 medications 7:9 meet 87:10 meeting 55:17 87:14 88:11 130:6,25 131:7 131:14 132:2,14 133:6,9 136:14 136:25 137:8,11 137:14,17,24
m			
ma'am 16:3 main 10:8,17 13:10 14:2,14,24 14:25 15:5,16,17 15:19 27:23 40:18 47:19 74:10 113:22 maintain 38:24 123:15 maintained 117:9			

[meeting - nonaccredited]

Page 16

138:5,13,14,16 138:20,22 140:20 meetings 58:22 59:12 member 98:12 members 41:4 114:4 memory 138:19 mendelson 2:8 mention 93:19 mentioned 27:9 47:4 58:16 60:12 77:20 112:4 140:22 mentioning 42:24 merit 70:14 message 90:20 met 7:23 58:17 michael 1:7 12:5 25:23 47:25 98:15,24 110:25 mid 70:19 middle 62:12 84:4 139:9 mike 13:4 16:8,9 48:3 53:21,25 54:3,6,9,14,17 54:19,25 55:10 55:13,17 56:20 56:23 60:4,18 63:3 66:16 67:2 67:11,15,18 70:22 71:3,9,20 76:4,16,19 77:6 79:2,13 82:6,9 86:5,19 87:22	88:18,24 89:4 91:18 92:4,8 98:14 106:3 107:8 108:13,14 108:15,22 111:3 111:11,18 117:18,24 118:2 118:6 129:6,21 139:17,22 mike's 71:5 89:8 103:23 mine 57:15 minute 26:6 42:15 128:8 mischaracterize 13:12 missed 122:21 missing 73:19 mistakenly 91:4 mixed 100:7 moment 8:19,23 monitor 123:19 124:9 month 16:22,23 16:24,25 17:7,11 17:12 27:18,19 101:9 monthlies 52:15 monthly 17:16 52:14 63:5 months 66:13 96:4 115:5 morning 76:12 morningside 14:3 15:8 mount 10:11,22 13:10,13,14,14 13:19,24 14:3,3	14:4,4,5,6,6,7,14 14:17,22 15:4,7 15:13,19,23,24 17:4,21 18:4,12 19:8,20,24 28:4 31:10 32:3 36:2 37:12,23 39:17 39:22 40:20 41:3 45:2,15 46:14 48:2,4,18 51:21 52:5,10 59:2 68:8 69:15 70:8,23 72:22 73:13 94:8,25 96:19 107:10 114:25 115:11 115:12 121:25 122:5,13,25 123:7 124:17 125:6,7,10,14,25 126:10,17,23 127:20,21,22,23 128:6,18 move 119:3 moved 116:24 117:20 119:9 mri 18:20 multidisciplin... 30:12 multiple 115:7	named 62:15 66:22 67:6 84:6 naomi 84:6 90:15 91:9 93:20 95:17 nature 43:23 98:25 necessarily 45:8 necessary 19:16 19:17 need 6:9 36:25 46:12 107:18 124:13 133:19 needed 122:8 123:12 133:14 needs 122:16 124:8 127:17 negotiations 18:25 never 36:21 134:12 new 1:2,19 2:5,5 2:10,10 4:5,13 4:14 10:12 13:2 14:4 17:19 18:11 42:8 43:10,16 107:9 107:25 108:6 113:13 114:3 146:4,8 147:1 nfpa 9:12 nicu 18:20 nine 14:20 115:20 nods 5:7 non 65:12 nonaccredited 31:19
		n	
		n 2:2 3:2 143:2 145:2 n95 122:16 name 4:9 15:22 90:14 114:7 147:2,3	

[normal - orders]

Page 17

normal 123:23 notary 1:19 4:4 143:22 146:7 147:25 noted 23:5 notes 97:9 138:21 notified 67:19 nowicki 48:13 53:24 131:11 139:18 number 5:2 22:2 22:5,12,17 24:3 70:15 88:10 100:23 101:10 114:12 123:9 132:17 144:7 numbered 62:24 79:20 numbers 101:17 numerous 22:10 31:23 33:25 34:21 35:12 36:12 nunez 45:17,18 54:13 71:3,6 72:14 74:12 108:6 111:4 nyc 113:5,7	20:14,21 21:7,17 21:24 22:7,20 23:3,12,18,24 24:7,14 25:7 27:25 30:7 32:5 32:9,19 33:19 34:17 41:21 42:21 43:5 46:6 47:21 50:2,20 51:24 53:12 57:2 59:23 61:24 62:6 63:14 64:14 65:18 66:17 67:3,12 69:11 72:4 73:7,22 74:14 78:4 79:23 82:12,19 85:10 87:17 88:14 93:9,14 94:18 95:3,9 96:20 97:14 100:2 102:25 103:7 104:12 106:14 109:11 109:21 110:14 118:9 120:22 121:4,16 124:3 127:11 128:10 128:19 130:9 131:3 132:20 133:15,23 134:8 134:15 135:2 136:9,23 138:6 140:10,24 objections 3:12 objective 32:3	objects 7:5 obligation 5:14 observations 39:8 occur 77:2 131:2 133:4 occurred 24:12 24:17,23 92:15 138:16 occurs 29:24 october 93:8 offering 115:6 132:11,12 office 4:12 12:24 17:5 26:23 40:19 42:6 offline 36:24 37:8 okay 61:10 75:24 78:20 80:22 90:5 139:8 old 9:15 21:23 22:18 54:25 omelfi 68:12,25 69:8,19 98:5,6 98:11,13 100:7 100:10 107:19 119:16,20 120:2 129:22 onboarding 126:25 once 17:12 75:3 ones 36:14 online 33:13 35:17,23 37:19 37:20	onsite 57:16 open 8:18,20,20 8:23 21:22 22:5 22:17 63:22 64:5,19 65:3 66:12 72:3 83:15,16 110:5,6 110:7,9 119:7 opened 101:11 openings 46:10 operating 18:19 30:25 operation 30:20 47:2 operational 74:17 operations 10:7 10:21 35:14 47:8 48:3 52:24 74:3,9 116:18 opportunity 71:10,11 142:13 opposed 37:4 72:12 opposite 100:12 oral 112:2 orally 111:22 order 1:17 44:11 56:13 69:20 101:10,17,20 102:2 103:15,20 103:25 104:9,19 105:13 106:7 123:9,23 127:23 128:4 orders 21:23 22:5,11,17 23:2 34:9 141:25
o			
o 3:2 4:2 143:2 oath 3:7 5:12 object 7:2 objection 10:2 10:18 17:22 18:6,14,21 19:3 19:10,18,25 20:7			

[org - person]

Page 18

org 44:3,7,8,24 45:4,7,12 144:9 original 3:5,9 outcome 28:16 40:11 77:22 78:2 146:17 outdated 23:17 outside 33:23 48:2 49:11,15 125:9 overall 38:6,14 72:20,25 73:6,17 overdue 22:6,9 oversaw 141:22 oversee 10:10,13 10:14 14:9 oversees 49:5 overtime 20:5	paraphrasing 40:9 parenthetical 97:20 part 14:21 24:24 35:6,10 43:15 48:17 52:23 59:6 63:12 64:10 83:23 86:11 90:10,15 92:6 99:24 105:25 112:19 126:24 participate 32:12 37:25 38:9 participated 38:23 particular 51:16 57:13 58:11 114:7 135:11 particularly 132:18 parties 3:4 146:15 parts 56:12 party 7:16 pasquarello 1:3 8:3,4 15:11 16:13,20 23:16 23:22 24:5 27:5 41:7,11,19 55:5 55:9 58:10 60:6 60:16 61:19 64:12 66:19 67:25 68:23 69:17 70:24 72:25 73:11	74:6 75:11 76:5 77:13 79:2 81:3 81:13 84:8 85:15 88:20 91:23 98:18 105:23 109:16 116:21 120:5 121:15 127:3 129:19 134:5,13 135:21 136:2,15 139:18 145:13 147:2 pasquarello's 16:4 25:22 62:4 88:7 pass 29:4 passing 28:25 31:15,18 pat 62:14 107:5 patricia 81:3,14 patty 61:14 81:21 82:15 86:9 99:9 pc 84:10,11 91:13 93:5 pc's 90:22 pediatric 18:20 penalties 5:15 pencils 122:17 123:12,15 pending 6:12,20 93:3 pens 123:15 people 15:18 38:18 48:11 64:19 65:2 66:10 96:24 104:10 125:4	128:2 percent 33:3 63:2,4,22,22 82:22 131:12 percentage 32:23 perez 12:5 performance 11:23,25 12:17 12:20 38:7,15 39:23 40:3 43:13,14,18 55:21,24 56:13 56:19 58:18 59:9,13,16 60:3 60:6 62:19 75:17 76:3,22 77:14,16 87:5,20 87:23 88:2,7 89:9,11,17 90:22 91:13,19 106:2 145:13 performed 49:9 49:14 performing 19:15 115:2 period 98:19 130:22 perjury 5:16 person 16:22 27:21 51:11,16 85:20 93:19,25 94:7,17 95:2,8 95:13,20,24 97:3 97:7 99:15,20 100:9 103:16 114:14 120:18 121:7 135:11
<p style="text-align: center;">p</p> p 2:2,2 3:2 4:2 p.c. 2:8 p.m. 142:15 page 25:19,24 26:4 44:10 62:13,18 63:6 81:11 101:15 104:4 105:2 139:10 144:6 145:4,9 147:5 pages 25:25 80:21 paper 123:16 paragraph 62:24 79:20 80:3,9 100:23 108:10 108:25 112:23			

[person - process]

Page 19

136:20 138:10 140:14,22 141:3 person's 99:23 personal 87:14 89:17 personally 108:19 phone 17:7,9 27:20 physical 35:2,16 37:9,14,18,21 pickman 1:18 146:7,23 piece 19:13 105:20 pip 77:14,25 87:10 88:19 place 140:19 143:11 placing 134:2 plaintiff 1:4,17 2:4 8:4 plaintiff's 25:12 25:14 43:25 44:3 60:25 61:4 75:14,18 78:9,12 80:13,15 83:8,11 89:20,23 106:19 106:21 129:8,10 138:25 139:3 144:4 plan 11:18,18,21 62:20 75:17 76:4,23 77:15,17 87:6 89:9,12 101:2,3 106:2 plant 52:24 74:3 74:9	please 4:9 5:19 8:6 11:12 19:13 29:14 31:8 84:15 85:2 pleased 40:10 plumbing 66:8 plural 80:6 pm 102:5,7 106:12 pm's 101:7 point 86:7 91:22 93:18 97:3 118:16 127:5 137:24 points 64:3 policies 18:11 policy 122:14,23 122:24 123:2 position 9:22,25 10:4,5,16 22:19 33:10 71:13,22 71:23 107:15 108:11,16,20,23 109:4,8,9 110:2 110:5,7,8,9,13 110:17,20,24 111:9 112:9,18 119:4,8,23 131:15,16,22 132:2 139:14 140:7 141:4 positions 72:2 74:24 95:22 96:13,18 107:18 116:15 positive 39:14 97:22 98:10,15 98:20	possess 114:4 possible 46:4,8 53:17,20 100:9 134:22 possibly 130:7 posted 46:13 71:14 108:11,20 108:23 109:4 110:21 posting 110:2 potential 106:8 potentially 54:12 65:22 134:24 140:16 prep 34:10 preparation 38:2 prepare 7:21 preparing 33:15 38:4 41:12 91:13 133:2 prepping 34:2 present 2:11 35:6,10 40:24 41:9 54:2 74:20 presentation 17:20 18:4 presented 35:14 38:21 president 9:20 10:6,21 pressed 33:2 presumably 58:3 preventative 79:21 101:4 preventive 62:25 64:5,13,19 65:2 65:4,11 66:4,12	102:7,9,11,17 103:4 106:11 previous 9:24 115:9 previously 60:12 primary 114:18 printed 104:19 prior 10:4,16 12:10,11 21:12 23:9 26:14 49:7 49:23 51:10 53:11,19 73:2 76:13 78:22 85:12 88:19 93:24 94:5 95:12 105:23 109:4 110:20 115:5 116:21 142:3 privy 39:5 probably 4:21 8:22 12:15 16:23,25 40:14 42:15 69:3 74:16 75:8 86:8 115:5,20 125:21 problem 34:14 problematic 58:4 problems 60:4,6 procedure 130:23 procedures 18:11 43:20 92:21 process 11:16 21:15 42:9 51:5 56:3 81:23
---	--	---	--

[process - recalling]

Page 20

112:20 122:18 122:20 123:3,7 123:13,20,22 124:2,5 125:14 126:11,25 127:18 128:6,8 128:13 produced 44:7,8 58:7 99:12 production 36:11,13,17 145:10,12,15 professional 56:25 program 28:23 28:25 33:8 36:4 37:17 56:9 57:19,22 58:23 58:24 59:5 115:3 programs 18:19 28:10 43:20 progress 28:8 progressive 75:16 76:2,21 78:11,25 79:15 81:5 84:12 85:15 86:20,24 87:8 88:19,25 89:5 91:24 101:21 103:24 project 10:14 pronouncing 62:16 proper 43:21 properly 92:21 108:11	provide 39:17,21 77:6 131:21 provides 39:7 providing 130:12 public 1:19 4:4 143:22 146:7 147:25 pull 129:15 139:7 pump 53:10 73:25 74:7 102:5 106:12 pumps 48:20 49:6,20,22 50:19 51:23 52:4,9,12 53:3,18 purchase 123:4 123:9,10,23 124:14,22 125:2 125:7 127:23 128:4 purchases 126:3 126:4,7 purchasing 122:13,23,24,25 123:8 124:17,23 125:6 126:11,14 126:18 128:18 128:24 129:3 pursuant 1:17 put 44:11 72:9 77:14 puts 29:5 putting 123:4 125:22	q qualification 114:22 qualified 112:25 114:23 quarterly 16:24 16:25 queens 13:14 14:6,22,25 47:8 question 5:19,21 6:2,12,13,18,19 6:20,21 7:5 11:11 24:9 29:13 43:8 60:2 65:15,17 80:7 94:23 121:6 126:6 132:25 questioned 77:25 questioning 42:7 questions 5:2,6 5:11 7:2 142:7,9 queue 123:8 125:9,20 128:5 quick 26:10 quite 4:23 82:22 r r 2:2 3:2 4:2,2,2 143:2 146:2 range 29:5 rarely 17:9 rdo 90:21,24 read 26:13,15 60:13 63:23 65:14,16 103:9 reading 79:25 86:2 108:17	ready 61:9 78:19 really 54:11 reason 7:12 43:10,15 55:20 63:16,18 101:25 105:22 106:3,9 147:5 reasonable 24:3 recall 18:8 26:19 26:24 27:4 40:23 41:6,8 42:3,18 46:11 54:11 56:22 58:15 59:19,21 60:8 67:5,14,16 69:22,24 70:2,25 71:2 78:6 79:7,8 79:13,16 81:19 82:8,10 85:4,6,8 85:12,21,25 86:4 86:8,10,13,17 88:10 93:21 94:15 95:11 98:2 99:24 103:18,19,21 107:22,23,24 108:24 111:14 111:19 118:5 120:4,7 127:3,8 128:21,23 129:5 130:6,24 131:6 133:7,8 134:10 134:18,19 135:6 135:10 137:18 138:18 140:5,21 141:2,18 recalling 112:16
--	--	---	---

recap 117:12	referred 14:2	remote 57:15,17	request 33:24
receive 11:14	20:10 65:17	remotely 57:20	34:9,12 120:8
29:3 39:10	95:24 96:14	repeat 111:6	124:11 125:13
received 26:12	97:24	136:19	129:2,4 131:23
26:20 27:3	referring 8:3,6	rephrase 5:20	138:11
42:11	10:20 15:15,25	22:15 43:7	requested 55:17
recess 83:5	29:18 35:22	replace 74:22	58:8 69:17,19
recognize 44:24	52:5 91:4 98:3	replaced 69:20	99:11 105:11
75:25 78:24	98:21 99:17,20	120:6,10,15	120:5 145:8
81:12,15 83:20	110:6 121:18	replacing 72:14	requesting 138:3
107:4	124:6 127:25	109:8,19	138:8 142:11,12
recollection	138:14	report 13:6,7	requests 22:12
76:24	refilled 120:6	16:9 39:5,7	37:7 123:17
recommend	regarding 37:11	53:21,24 54:3,6	126:17
71:22 111:4,7	39:17,22 40:3	54:13,16,19,22	require 125:3
recommendation	59:8,12 60:3	68:22 81:6	required 28:9
111:9,13,15	62:3 136:19	144:12,14	50:13 56:5
recommended	regional 9:20	reported 54:9	86:21 89:2,11
71:9 111:8	47:2	117:24,25	92:22 114:2,16
136:21	regulatory 36:4	reporter 5:3,7	125:17,19
record 4:10 5:7	145:10	5:10 6:4 25:16	requirement
36:25 60:9,10	related 30:17,19	44:5 61:6 65:16	63:6 116:14
61:17 62:11	56:2 130:7	75:20 78:14	requirements
83:17 90:11,16	146:15	80:17 83:13	87:10,15 94:7
98:8 99:22	relations 19:21	89:25 106:23	101:2 133:18
100:5 142:10	relationship	129:12 139:5	requisition
146:12	47:24	reporting 47:23	123:5 124:15
recorded 100:10	rely 36:3	67:25 88:2	125:2
records 83:22	remains 101:10	109:15 118:4	reserved 3:12
recruited 96:5	remember 4:22	141:15 147:1	resident 46:25
recruiting	18:9 26:22	reports 12:4,13	resignation
108:12	41:18 42:16,23	12:18,22 21:2	109:3 110:12
reduce 20:5	42:25 55:25	27:10 47:4,24	resigned 97:21
refer 15:21	82:24 112:17	48:5,8 57:21,23	110:19
referenced	129:2 138:12	63:3 67:19	resigning 109:25
101:21	140:8	representatives	resources 61:3
references 63:12	remembering	82:3	61:15 81:22,25
	48:15		82:4 83:10

89:22 122:15 144:10,16 respect 57:13 58:11,17 59:17 61:18 63:12 103:25 106:11 respective 3:4 respond 81:18 128:17 responded 24:25 85:19 responding 25:3 81:20 86:15 108:5 response 24:24 61:22 81:5 84:25 137:3 139:22 responses 5:6 responsibilities 10:9,17 27:24 47:20 70:9 131:17 132:3,5 133:12 134:2 135:8,13,14,18 136:8,13,16,22 137:13 138:2,4,9 140:13,23 141:20 responsibility 38:6,14 48:17 72:21,25 73:6,12 73:17,20 74:7,11 74:13 115:5 137:4,6 responsible 64:19 65:2,10,23 66:3 122:3	rest 25:20 restructuring 72:8 resulting 79:18 100:19 resume 113:19 retained 144:24 retaliation 67:2 67:10 81:7 returned 118:19 revealing 7:19 review 7:24 26:10 75:23 76:21 78:19 80:20 83:19 84:15 85:2,9,18 86:3,12 90:4 107:2,13,17 129:16 139:7 142:14 reviewed 36:21 76:19 85:22 86:9 90:5 99:8 107:12,20 113:18 reviews 12:18,21 28:8 revise 142:14 revised 23:16 right 15:22 29:16 35:20 62:16 63:19 68:10 risk 63:23 65:12 65:13 robert 12:7 roche 1:7 12:5 13:4 16:8,9	25:23 47:25 53:22,25 54:4,7 54:10,14,17,20 54:25 55:11,13 56:20,23 60:4,18 66:16 67:2,11,15 67:18 70:22 71:3,20 76:4,16 76:19 77:6 79:2 79:13 82:6,9 86:5,19 87:22 88:18,24 91:18 92:4,8 98:14,24 106:3 107:9 110:25 111:4,11 111:18 117:24 118:2,6 129:6,21 139:18 roche's 89:4 139:22 role 12:10,12 14:8 38:4,12 41:12 47:20 68:17 69:18 74:18 96:3,7,25 111:7,13 112:7 112:25 116:17 116:24,24 117:20,23 118:2 118:19 119:12 119:20,21 120:5 120:10 133:22 140:15,15 141:4 141:12 roles 69:18,20 74:17 116:6 roll 14:11	rome 53:21 ron 48:13 67:21 68:6 69:7,18 99:17 100:6,10 107:19 109:2,9 109:14,19,25 110:10,16 121:23 129:21 room 18:20 141:7,8 ross 12:7 run 34:6 69:21 running 69:9 70:3,7 runs 126:13 ryan 48:13 53:24 131:11 139:18
			s
			s 2:2 3:2,2 4:2 144:2 147:5 safety 9:8 16:19 17:20 18:12 23:10,17,23 27:14 28:3,7,13 28:15,23 29:2 32:24 35:13 37:11 39:18,23 41:2 42:8 43:22 45:15,19,22,24 46:13 50:9,10,12 50:14 51:14,16 51:20,22 52:3,8 53:8,15 55:22 56:7 58:25 66:5 68:7,19,20 69:9 69:9,14,21 70:4 70:7,22 71:4,12

[safety - share]

Page 23

71:21 72:10,22 73:2,6,12,16,18 74:2 94:8,25 96:3,9,15,19 97:17 98:4,7 99:15 101:6 107:10 108:2,7 110:24 111:5 112:7 113:24 114:9,11 115:10 115:25 116:14 116:17,20,25 118:16,20 119:19,20,21 120:2,18 121:7,9 121:14,25 122:5 122:9 130:4,18 131:21 132:11 132:16 135:22 137:5,14 satellite 14:24 saving 24:5,10 saw 22:22 23:5 26:17 57:25 58:3 79:9 83:18 134:12 saying 45:6 50:16 51:15 53:9 72:11 75:3 84:25 87:11 92:7,8 121:2 129:2 132:14 134:20 136:2,17 136:18,19 137:7 141:10 says 62:4,19,23 62:24 63:20 64:4 81:5 84:4,8	84:15 90:14,21 91:12 93:22,24 95:12,20 97:19 97:21 99:13 100:25 101:7,17 101:17,24 102:4 102:14 104:5 105:3 109:2 129:24,25 131:21 139:11 139:12,23 sc 40:19 scene 24:25 schedule 20:11 20:13,16 scheduling 20:5 scott 66:22,25 screen 8:15 26:7 44:20,22 78:16 78:17 123:19 scroll 44:16,19 63:5 101:14 139:21 scrutinize 31:5 sealing 3:4 second 78:25 80:3 81:5,11 84:10 85:15 86:20,24 87:8 91:11 93:5 101:15 106:3 129:24 131:19 137:11 section 100:18 see 8:14 16:21 26:2 44:19,21 62:21,23 63:9,19 63:24,25 65:24	76:10 78:16,17 81:9 83:23,25 84:14,18,21 90:13 92:24 93:2,5 94:2 99:13 100:18 101:12,16,24 102:4,10,14 104:5 105:2,10 106:16 109:5 113:2 131:19 134:22 139:9,11 139:22 seeing 25:24 41:6 79:7 134:19 seen 25:17,19,20 26:3,9 76:7,14 78:21 79:11 80:23 seliger 2:6 4:8 8:12 25:11 36:10 37:6 43:7 43:24 58:6 59:25 60:9,24 75:13 78:8 80:12 83:7 89:19 99:10 106:18 129:7 138:24 142:6 145:5 send 57:21,23 58:2,13 sense 6:7,15 sent 8:9 59:8 76:17 81:3,16 85:9 129:19 131:9	sentence 91:11 91:17 92:6 95:19 97:20 separate 13:17 133:22 september 16:16 22:25 served 26:20,22 service 3:9 27:3 61:15 83:10,22 84:9 130:20,21 144:16 services 10:11 10:14 30:24 32:15,18 82:4 sessions 9:13 17:4 set 70:15 88:3 146:11,20 sevcik 12:6 seven 14:19 27:16 116:5 seventeen 4:22 shaffer 12:8,8 27:7 55:18 56:21 57:6 58:16,20 59:7 71:9,20,22 81:4 81:14 87:24,25 88:11 91:20 92:4,9 96:2 111:10,22 129:20 139:17 140:4 shaffer's 28:17 shani 62:15 share 8:14
--	---	--	---

[shared - submit]

Page 24

shared 91:9 97:7 sharpe 2:11 shawn 2:10 sheet 147:1 shift 21:2,5,11 21:12 short 83:3 show 34:14 63:3 75:21 80:18 showed 88:18 side 13:25 sign 11:20 signature 146:23 signed 3:6,7,8 significant 22:5 22:17 33:17 similar 12:14 83:18 similarly 16:15 64:20 sinai 10:11,22 13:10,13,14,14 13:19,24 14:3,3 14:4,4,5,6,6,7,14 14:17,22 15:4,7 15:13,20,23,24 17:4,21 18:4,12 19:9,20,24 28:4 31:10 32:3 36:2 37:12,23 39:17 39:22 40:20 41:3 45:2,15 46:14 48:2,4,18 51:21 52:6,10 59:2 68:8 69:15 70:8,23 72:23 73:13 94:8,25 96:19 107:10	114:25 115:11 115:12 121:25 122:6,13 125:6,8 125:14,25 126:10,17,23 127:20,22,22,23 128:18 sinai's 122:25 123:7 124:17 125:10 128:6 single 26:4 138:10 site 17:3 73:16 six 15:9 115:5,17 115:20 sixteen 4:21 47:11 sixty 21:23 22:18 size 124:21 125:7 small 28:18 smaller 126:3 smclark 2:11 smoke 25:5 sole 99:15 somebody 62:15 134:3 someplace 23:6 sort 31:3 sounds 24:3 68:10 sourcing 125:10 southern 1:2 speak 64:8,21 81:24 82:6,16 86:5 119:23 speaking 40:21 82:8 86:10	127:4 specific 30:21 36:19,23 37:2,3 43:19 46:17,21 55:23 123:7 136:20 140:22 141:3 specifically 7:3 39:19,24 41:12 41:17 42:24 43:2 53:10 98:24 107:21 specifics 117:17 specified 143:11 spelled 11:20 spend 57:7,9,12 127:16,20 spent 58:10 spoke 17:7 40:5 79:14 90:21 103:16 119:16 sprinkler 102:5 106:12 square 14:5 sr 46:22,24 47:10,13,16 ss 146:4 staff 18:5 52:16 52:18 70:16 101:6 114:4 126:22 136:3 137:15 staffed 95:8 stage 123:25 stand 90:24 standards 31:2 standpoint 28:13	start 6:2 11:3 started 22:19 94:12 95:6 starting 44:13 73:3 84:3 96:17 97:2 starts 112:23 state 1:19 4:4,9 146:4,8 statement 78:7 95:16,17 113:17 statements 6:5 states 1:2 101:3 102:11 stationed 115:12 statistics 64:3 130:4,13,15 status 117:10 stayed 96:3 stewards 122:14 127:19 stipulated 3:3,11 stop 95:14 storage 37:15,16 store 36:4,8 stored 35:17,24 37:13,19 street 4:13 12:25 13:25 15:14 student 116:12 study 9:2 style 98:16,25 subject 5:15 62:5 81:4 submission 76:15 89:3 submit 124:14 124:19 125:13
---	---	--	---

[submit - text]

Page 25

126:16 submitted 11:19 36:15,20,21 76:16 90:9,15 109:3 134:5,11 134:13 submitter 90:14 subscribed 143:18 147:22 subsequent 117:19 subsequently 25:5 subset 28:24,24 successful 78:2 suggested 135:17,20 suite 2:5 summer 121:12 supervise 10:24 11:2,4 supervisor 16:5 16:6,7 68:21 96:16 99:14,18 100:6,11 116:16 124:20 125:18 125:20 supervisors 128:3 supplies 123:23 supply 123:15 support 77:7 86:19,21,23 88:24 89:2,4,8 89:10,13 103:22 136:7 138:3,8 supported 103:23 111:10	111:11 supportive 98:25 sure 18:8 20:9 34:3 42:14 62:15 69:23 107:11 119:13 124:22 131:12 135:25 136:10 136:18 138:7,10 survey 29:17,19 30:6,11 31:6,21 32:24 33:16 34:16,25 35:7,11 35:15 38:2,5,10 38:13 39:2,11 40:11 78:3 surveyed 34:11 surveying 31:12 surveyor 34:21 suspect 8:17 sworn 3:6 4:4 5:10 143:5,18 146:11 147:22 system 10:12,22 15:25 27:14 28:5 36:3 48:2,4 48:18 104:25 105:16,21 106:7 114:25 124:15 124:16,18 125:15 126:14 126:18 128:18 128:24 129:3 130:19 systems 43:22 56:7 92:23 113:15 114:5,17	t t 3:2,2 4:2 143:2 144:2 146:2,2 take 5:3 6:13 26:6 69:4 83:3 119:21 129:13 135:12,18 138:21 140:18 140:23 taken 1:16 83:6 102:18 130:20 takes 141:24 talk 6:17 talked 41:10 talking 15:19 42:18 121:22 128:16 139:12 target 104:18,24 105:3,5,14,24 task 51:20 103:10 tasks 62:25 101:5 103:11 team 11:2 12:2 13:17 24:25 30:12 35:9 36:3 39:16 40:25 41:3,5,17 42:5 51:7,12 52:20,21 52:22,24 56:9 57:24 59:5 68:7 95:22 137:5 teamops 101:8 teams 33:18 tell 5:14 29:11 29:21 40:15 41:25 43:9 55:19 59:15	90:6 95:23 108:19,22 116:10 telling 127:8 ten 34:20 42:15 125:3 tens 22:11 tenure 23:11 120:19 121:19 121:20 127:6 terminate 19:16 19:20 test 49:14 51:5 52:3 102:22 testified 4:5 49:23 55:4 73:10 77:12 88:4,17 115:16 115:23 120:9,13 testify 7:10,13 26:3 49:19 73:5 143:5 testifying 5:16 testimony 143:6 143:10 146:13 testing 23:8,10 28:9 43:22 48:19 49:5,20,22 49:25 50:5,13,18 50:24 51:2,3,8 51:13 52:9,11 53:6,7,11,18 56:6 59:2 73:25 74:7 tests 51:23 52:14 53:2 106:4 text 129:25
---	---	--	--

[thank - validating]

Page 26

thank 130:2	117:18 130:22	transcribing 5:4	typically 33:21
thing 22:9 105:6	141:13,16,18	transcript	u
124:10	143:10	142:11,14 143:9	u 3:2
things 97:22	timeframe 50:22	143:9	understand 5:8
98:11,15,20	timely 101:3	transition 14:19	5:13,18,23 6:23
think 27:9 40:5	times 27:19	118:23	7:6 13:9,9 75:2
40:17 55:6 65:9	36:12 87:24	transitioned	84:11 105:8
86:25 92:17	88:10 96:23	74:8 117:14	126:5 135:25
95:7 139:23,25	timing 118:24	transitioning	137:23
third 2:9 92:25	title 9:19 12:11	115:18 139:13	understanding
93:23 104:4	16:17 27:13,15	140:13	79:22 94:24
108:10	45:18,20 46:23	tri 29:19,23	understood 5:22
thought 40:9	46:25 47:16	trial 1:14 3:12	union 14:5 19:2
140:15 141:5	90:25 91:5	tried 128:24	137:15
thousand 23:22	117:3,6,11	true 33:15 66:24	united 1:2
34:20 125:3	titled 117:2	67:9,24 68:6,25	unsigned 3:8
thousands 22:11	titles 117:7	69:7,16 70:4	updated 17:19
30:9 36:22	tjc 139:24	72:24 77:24	18:3,10,18 20:4
three 29:24	today 5:2,12	91:25 102:21	20:11,12
66:13 92:11	7:10,14 8:8	103:4 109:14	updating 17:25
95:22 96:13,18	26:14 78:22	116:19,23	18:9,17
96:24 104:10	130:2	117:19 118:18	uphold 100:25
125:4	told 43:14	119:18 131:13	upset 43:3,10
time 1:11 3:12	108:16,22 141:2	132:16 133:11	urgent 80:5,5,10
8:21 12:16	tom 12:6	143:9 146:12	use 15:22 17:7
14:20 16:10	top 74:19 90:13	truth 5:14 143:5	37:16 117:7
20:17 26:17	90:21 101:16	truthfully 7:10	127:9 139:11
27:3 42:25 46:3	105:2 107:5	7:13	usually 29:25
48:23 49:16	139:21	try 6:10	30:2 106:6
50:15 54:2	track 20:20	two 9:23 14:25	utilities 35:13
56:22 57:7,9,12	21:20	15:5 46:21 49:2	v
58:10 68:2,4,15	tracking 21:15	49:8,18 50:7,16	v 147:2
69:4 70:11,13,18	trades 66:7,7,8	52:2,25 53:5	vaguely 41:23,24
74:20,21 75:11	66:11	69:17 70:5,11,13	valentine 67:7
85:22 91:22	train 18:4	70:18 72:2	67:10
92:19,23 93:18	trained 19:6,23	73:13 74:24	validating 30:24
94:6 98:8	training 9:9 18:3	75:4,7,9 87:7,9	
108:18 115:19	18:19 20:19,20	96:7,8	

[validity - zero]

Page 27

validity 64:8,22 64:24 varies 14:18 various 28:12 125:24 vendor 49:11,15 52:17 101:5 123:10 verbal 5:5 111:16,24 112:2 verbally 111:20 verified 63:6 verify 26:7 veritext 147:1 versus 73:21 123:23 vice 9:20 10:6,21 videoconference 1:18 visit 17:3 visited 25:9 vp 63:7	ways 28:6 we've 136:12,14 website 33:14 weekly 57:16 58:17,19,22 59:12 went 97:16 129:3 west 14:3 whereof 146:19 white 84:21 winter 16:15 55:14 56:15,16 59:13,18 60:5 witness 1:16 3:6 3:9,10 4:3 118:11 142:16 146:10,13,19 witnesses' 147:3 word 29:16 65:10 69:4 words 42:4 93:17 127:13,14 work 15:11 16:13 17:18 21:23 22:5,11,17 23:2 33:17,25 34:9,12 47:12 56:13 65:23 73:16 81:7 91:14,20 92:7,9 92:12 98:17 101:10,17,20 102:2 103:15,20 103:25 104:9,19 105:13 106:6 139:24 141:22 141:23,24	worked 15:13 16:5,20 68:19 98:13 116:3 working 9:16 17:25 18:16 117:10 workload 34:13 70:17 works 45:14 write 12:17,20 55:13,20 56:24 77:7,10 99:19 writing 111:20 111:23 written 93:2 134:7 wrote 86:2	114:3 146:4,8 147:1
			z
			zack 2:11 zero 125:3
w	waived 3:5 walked 38:17 want 8:19 71:6 79:17 125:21 wanted 17:13 55:13,20 70:22 71:3 107:9 wanting 127:4 warranted 87:2 way 6:4 20:20 80:2,11 92:25 93:23 98:7 125:10 146:17	x	
			x 1:3,9 144:2 145:2
			y
			year 44:10 63:17 96:10 103:14 130:3 years 4:21 9:15 9:23 27:16 29:24 47:11,18 49:3,8,19 50:8 50:16 52:2,25 53:5 91:2,2 97:12 98:14 116:5 yellow 139:10 york 1:2,19 2:5,5 2:10,10 4:5,13 4:14 10:12 13:2 14:4 113:13

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.